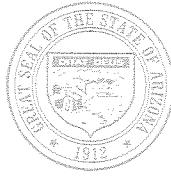


**Tribal Summit Progress Report  
for the  
Arizona Tribal Nations  
and  
Governor Napolitano**



**December 10, 2008**



STATE OF ARIZONA

JANET NAPOLITANO  
GOVERNOR

OFFICE OF THE GOVERNOR  
1700 WEST WASHINGTON STREET, PHOENIX, AZ 85007

MAIN PHONE: 602-542-4331  
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December 10, 2008

Dear Tribal Leaders:

Welcome to our Tribal Leaders Roundtable. This is the 20<sup>th</sup> quarterly meeting we have held together to discuss vital areas of interest to Tribal communities and to continue strengthening our government-to-government collaboration.

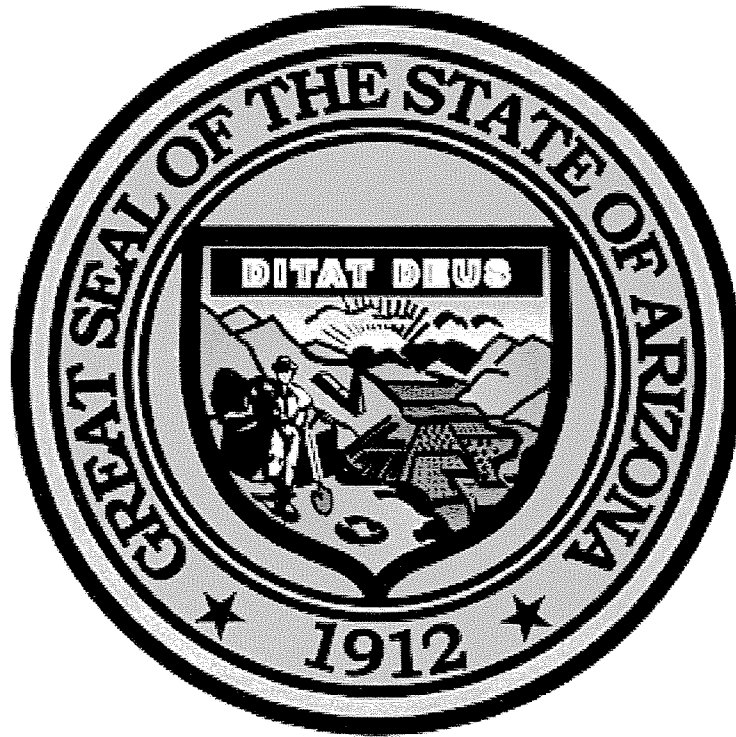
I am also happy to offer this 12<sup>th</sup> Progress Report, detailing the work of many of our State agencies that interact with various departments within your Tribal communities. Please take time to read this document and feel free to give us any feedback or comments you wish to make.

Thank you once again for taking time to attend this meeting and sharing your ideas on ways we can continue our joint efforts to move Arizona forward.

Yours very truly,

A handwritten signature in black ink, reading "Janet Napolitano".

Janet Napolitano  
Governor



# **Arizona Health Care Cost Containment System**

**December 10, 2008**

**DIRECTOR**  
Tony Rodgers

**TRIBAL LIAISON**  
Carol Chicharello  
Tribal Relations Liaison



## **Arizona Health Care Cost Containment System Governor's Tribal Leaders Roundtable – Progress Report**

December 10, 2008

The Arizona Health Care Cost Containment System (AHCCCS) administers the Medicaid program and State Children's Health Insurance Program (SCHIP) in the state of Arizona. AHCCCS covers over 122,000 American Indians and Alaska Natives (AI/AN). Approximately sixty-nine percent of AHCCCS AI/AN acute care members are enrolled in the AHCCCS American Indian Health Program (AIHP). The AHCCCS AIHP is the acute care fee-for-service coverage option available to American Indians and Alaska Natives. The remaining thirty-one percent of American Indian and Alaska Native AHCCCS members are enrolled in an AHCCCS-contracted acute care health plan. Similarly, the majority of American Indian members eligible for long term care receive case management services through their respective tribe (if a case management intergovernmental agreement between the tribe and AHCCCS is in place) or the Native American Community Health Center. Therefore, a focus on collaborations within these programs may lead to increased accessibility and quality of health care for a significant number of AI/AN AHCCCS members. The following summaries are highlights of tribal consultation over the past year and AHCCCS activities during the previous quarter.

### Tribal Consultation

AHCCCS has implemented tribal consultation on two occasions over the past year. The first tribal consultation session was jointly conducted by AHCCCS, the Arizona Department of Health Services (ADHS), and the Arizona Department of Economic Security (DES) on November 30, 2007. The Tri-Agency Tribal Consultation Session held in November 2007 provided the opportunity for the three state agencies to provide information on various programs and updates. The Session was conducive for tribes to provide feedback on prevalent issues and recommendations to make improvements in these areas. The three overlying themes resulting from the discussions with the participating tribes were (1) funding and resource allocation, (2) program management, and (3) system integration. For a complete summary of the Tri-Agency Tribal Consultation Session, see Attachment 1.

Implementation of tribal consultation also occurred on July 11, 2008. AHCCCS conducted this Tribal Consultation Meeting to discuss various programmatic and policy changes in accordance with legislation enacted into law during the 2008 Legislative Session and in accordance with changes approved by the AHCCCS Administration. Some notable changes discussed include Self-Directed Care Attendant Care Services, proposed Employer Sponsored Insurance Program, and the change in referral policy for the AHCCCS American Indian Health Program. For a complete summary of the Tribal Consultation Meeting held on July 11, 2008, see Attachment 2.

Per the Governor's Executive Order 2006-14, "Consultation and Cooperation with Arizona Tribes," an annual review of the AHCCCS Tribal Consultation Policy was conducted. Subsequent revisions were approved by AHCCCS Executive Management in July 2008 and submitted to the Governor's Policy Advisor on Tribal Affairs. The 2008 version of the AHCCCS Tribal Consultation Policy is provided as Attachment 3.

### Website Improvements



AHCCCS is redeveloping its website and including the new content for stakeholders in American Indian health. Content that will now be available include a Frequently Asked Questions document, a calendar of events pertaining to American Indian health, an American Indian Health Program Member Handbook, AI/AN AHCCCS enrollment statistics, and other valuable resources for tribes and American Indian Health providers. The current website can be accessed at [www.azahcccs.gov](http://www.azahcccs.gov).

#### Fee-for-Service Name Change to "AHCCCS American Indian Health Program"

As of July 1, 2008, AHCCCS is using the name, "AHCCCS American Indian Health Program," for the fee-for-service option for AI/AN AHCCCS members. The fee-for-service option was formerly referred to as "IHS/AHCCCS." The change was proposed because of the frequency of confusion among AHCCCS-registered private providers and American Indian members regarding payment and provision of services. Tribal consultation was implemented in January 2007 regarding the name change. American Indian Health Program members who receive a new AHCCCS member identification card due to new enrollment or lost/stolen card will receive a card reflecting the new name. Current AIHP members may still have cards bearing the name "Indian Health Service" as the health plan. Increased awareness among the provider community is ongoing. Education regarding this change and the fee-for-service program will be provided through the AHCCCS American Indian Health Program member handbook and the AHCCCS website. For a preview of a sample AHCCCS member identification card bearing the "AHCCCS American Indian Health Program" name, please see Attachment 4.

#### American Indian Health Program Referral Policy

AHCCCS eliminated the "Referral Policy" for American Indian Health Program (AIHP) members receiving certain services from AHCCCS-registered fee-for-service providers outside the Indian Health Service, tribally-operated 638, and urban Indian Health program (ITU) system. Previously, the policy required that a referral be obtained from the IHS/638 provider for any of seven categories of services in order for the covered service to be paid for. Since it is a requirement that IHS and 638 facilities provide referrals in cases where the respective services are not or cannot be provided at those facilities, it poses a barrier to care especially in cases when there are long wait lists or when a member sees an AHCCCS-registered private provider at their will. The elimination of this policy is expected to increase access to quality, timely care and decrease administrative costs associated with the labor and paperwork. Prior authorization requirements for certain services still apply. Education to AHCCCS-registered private providers serving AHCCCS AIHP members regarding the referral policy change and American Indian Health Program is being conducted. Through a partnership with the Phoenix Indian Medical Center, a meeting will be held to educate financial services staff and medical directors of the major private hospitals serving AHCCCS AIHP members in the Phoenix metropolitan area.

#### Other

AHCCCS continues to work with the tribes, IHS Area Offices and facilities, urban Indian health programs, community organizations, and the Inter Tribal Council of Arizona, Inc. AHCCCS will continue to work closely with the Arizona Department of Health Services and Arizona Department of Economic Security to follow-up on the topics raised by the tribes at the Tri-Agency Tribal Consultation Session in November 2007 and at the Tribal Leaders Roundtables hosted by the Governor. In addition, AHCCCS will continue to conduct monthly webconferences for tribes and respond to requests for training.

For more information on specific activities or the content included in this report, you may contact Carol Chicharello, Tribal Relations Liaison, at (602) 417-4610 or [carol.chicharello@azahcccs.gov](mailto:carol.chicharello@azahcccs.gov). For more information on various AHCCCS programs and eligibility requirements, you may visit the AHCCCS website and click on the "Eligibility Requirements" link at [www.azahcccs.gov/Publications/Reference/](http://www.azahcccs.gov/Publications/Reference/).

## **Attachment 1**

Tri-Agency Tribal Consultation Session Summary  
November 30, 2007

## **AHCCCS/ADHS/ADES Tri-Agency Tribal Consultation Session Summary**

### **Introduction**

The Tri-Agency Tribal Consultation Session was held on November 30, 2007 at the Governor's Executive Tower in Phoenix, Arizona. The Tribal Consultation Session was hosted by the Arizona Health Care Cost Containment System (AHCCCS), Arizona Department of Health Services (ADHS), and the Arizona Department of Economic Security (ADES) to provide a forum for the state agencies to share information and obtain feedback from tribal representatives about the respective agency programs and services.

### **Background**

The Tri-Agency Tribal Consultation Session was held per Governor Napolitano's Executive Order 2006-14, "Consultation and Cooperation with Arizona Tribes" which required all executive Branch agencies to:

- Develop and implement tribal consultation policies;
- Designate a member of their staff to assume responsibility for the agency's implementation of the tribal consultation policy and act as the principle point of contact for tribal issues; and
- Review their tribal consultation policies each year and submit an electronic report to the Governor and the Legislature to describe all action undertaken.

Since the Executive Order was put into place, AHCCCS, ADHS, and ADES have developed and implemented tribal consultation policies that are specific to the scope of services for each agency. The 2007 Tribal Consultation Session was held as a tri-agency collaborative because the delivery of health and human services for Native Americans often overlaps between these three agencies. For example, eligibility determinations for medical assistance are coordinated between ADES and AHCCCS. Other overlaps in the delivery of services may occur when inter-agency agreements are in place, such as that between AHCCCS and ADHS for management of the provision of behavioral health services for eligible AHCCCS members.

The three primary health and human services agencies in Arizona recognize that Arizona's twenty-two tribes must be consulted when important policy changes are anticipated that will significantly impact the tribes and tribal members. In recognition that tribes are sovereign entities and have a unique relationship with the federal and state governments the Tri-Agency Tribal Consultation Session provided an opportunity for open dialogue among the ADHS, AHCCCS, ADES and tribal representatives.

### **Agency Directors Comments**

Arizona Health Care Cost Containment System (AHCCCS) Director, Anthony Rodgers conducted a presentation that included an overview of the AHCCCS Program, covered services, and program updates. Director Rodgers also discussed the significance of the AHCCCS Tribal Consultation Policy. He also provided information on the AHCCCS

## **AHCCCS/ADHS/ADES Tri-Agency Tribal Consultation Session Summary**

Strategic Plan, the Strategic Initiative on Native American Health Care, and Native American enrollment statistics. Director Rodgers expressed a commitment to improving the health status of Native Americans in Arizona.

Arizona Department of Health Services (ADHS) Director, Susan Gerard, stated in her opening remarks that due to the downturn in the economy, everyone has concerns about program funding. She explained, however, that the majority of the Health Department's funding comes from the federal government. As a result, many programs are protected from state budget cuts. Ms. Gerard also emphasized that the Department's Strategic Plan incorporates and expands tribal initiatives into all program goals and objectives to better serve tribal populations and to be responsive to tribal consultation issues. The Strategic Plan also makes addressing health disparities a priority, and promotes a change in the agency culture to ensure tribal needs are recognized and addressed. All tribes are experiencing serious problems controlling the use and abuse of methamphetamines. Director Gerard stated that it is clear that additional prevention programs and treatment services are needed to address this problem.

Arizona Department of Economic Security (ADES) Director Tracy Wareing, presented an overview of DES' services and programs. Director Wareing discussed the Department's commitment to working with Native American tribes to improve the quality, availability, and accessibility of human services to children, youth, adults, and elders. DES' Tribal Consultation policy was also stressed and Tribal leaders present were assured of ongoing consultation on issues impacting their communities. Director Wareing emphasized the opportunities for coordination and consultation with the Tribes, DES, ADHS, AHCCCS and other public agencies to address human services. Director Wareing identified many areas both the state and tribes must continue to plan for while also remaining cognizant of the Federal legislation and program requirements that affect our Native American tribes. Director Wareing further elaborated on how DES plans to move forward through collaboration in the continuation of key partnerships with the leadership of Native American Tribes, the Inter-Tribal Council of Arizona (ITCA) and the newly formed DES Native American Advisory Board.

### **Presented Issues**

Each tribe is a distinct separate independent sovereign nation that is unique in culture, language, and location. Therefore, tribal service delivery issues need to be addressed in culturally-appropriate and unique ways. The following section summarizes comments provided to the state agencies by the tribal representatives in attendance at the Tribal Consultation Session. Comments were presented with the common understanding that ongoing true and meaningful consultation is essential to finding solutions that work for the tribes and the State. The comments made by tribes had three major overlying themes and perspectives were brought up by the tribes. These included 1) funding and resource allocation, 2) program management, and 3) system integration.

## AHCCCS/ADHS/ADES Tri-Agency Tribal Consultation Session Summary

### Funding and Resource Allocation

The tribes expressed a need for support to sustain current and future federal and state funding for programs affecting Native Americans, while stressing the importance of direct funding to tribal governments. Support for on-reservation health care facilities was also requested from the state. Currently, the Indian Health Service and tribally-operated 638 facilities remain the primary providers of medical and behavioral health care on reservation lands. In addition, long term care facilities on reservation are limited. Tribal members usually travel long distances to receive necessary medical, behavioral, and long term care services. Benefits of on-reservation facilities include the ability to staff culturally-competent service providers, proximity to family members and the care recipient's homeland, employment for local residents, and ultimately, quality of life for service recipients.

Information on the availability and distribution of funding for pertinent programs was also requested from the state agencies. The following comments were made regarding the topic of funding and resource allocation.

- Ona Segundo, Chairwoman, Kaibab-Paiute Tribe, requested information on the process for funding distribution to the tribes to administer the coordination of behavioral health services.
- Sandra Irwin, Health Department Director, Hualapai Tribe, requested the State's support in advocating for the continuation of funding for the Special Diabetes Program for Indians.
- Christina Andrews, Health and Human Services Department Director, Tohono O'odham Nation, requested information on Medicaid Administrative Match funding that may be available through the state. AHCCCS stated that Arizona does not provide Medicaid Administrative Match, but may provide relevant information to Ms. Andrews.
- Kenneth White, Jr., Business Manager, Fort Defiance Indian Health Service (IHS) Hospital, expressed his appreciation for the AHCCCS program for its assistance and education regarding appropriate billing for services provided to AHCCCS members receiving health care at the hospital. Mr. White also indicated that the current methodologies for the way services are reimbursed for Native American AHCCCS members needs to be examined. Mr. White indicated that reimbursement rates for medically-necessary transportation in rural areas needs to be different for rural providers. Mr. White also stated that the current inpatient and outpatient rates developed by the Office of Management and Budget (OMB) which is reimbursed to IHS and tribally-operated 638 programs for covered services provided to Native Americans enrolled in Medicaid, may not cover the cost of providing health care and needs to be examined. Mr. White also requested information regarding available funding for tribes to develop health information technology systems.

## AHCCCS/ADHS/ADES Tri-Agency Tribal Consultation Session Summary

- Thomas Cody, Legal Analyst, Division of Social Services, Navajo Nation, indicated a need for support from the state in various areas. Mr. Cody illustrated the rural conditions of the Navajo Nation, explaining the long distances tribal members must travel to obtain necessary health care services and resources, such as water and firewood. Mr. Cody also indicated the tribe's need for assistance regarding how the home delivered meals program should bill for services provided to elderly and physically disabled individuals living on-reservation. Mr. Cody expressed the need for the development of youth treatment centers. Mr. Cody expressed appreciation and emphasized the continued need for support from the state government to provide services that Native Americans are entitled to. AHCCCS indicated that information would be provided regarding payment for eligible services for ALTCS members. It was further stated that there may need to be coordination between the tribe and the ADES regarding funding for home-delivered meals available through the Older Americans Act.
- Fred Hubbard, Executive Director, Advisory Council on Indian Health Care, asked that the state research the possibility to reimburse health providers for case management services provided to Native American AHCCCS members.
- Susan McCraw Helms, Health Director, Salt River Pima-Maricopa Indian Community, expressed concerns about tobacco prevention program funding. She stated the Bureau of Tobacco Education Prevention Program (BTEP) strategic planning effort appeared to be pre-determined and that local projects would be defunded in place of statewide initiatives. She advocated for continued funding of locally-developed prevention programs with BTEP funds. Director Gerard replied by stating that BTEP funding has not been pre-determined, but that the program is being revamped based on evidence-based research.
- Henry Walden, Health Director, Gila River Indian Community, asked for state support in the reauthorization of funding for the federal special diabetes program for American Indians and Alaska Natives.
- Alida Montiel, Health Systems Analyst, Inter Tribal Council of Arizona, Inc. (ITCA) asked for information on Regional Behavioral Health Authority (RBHA) tribal sub-contracts and what they are able to bill for. Ms. Montiel stated that she would like information on mental health and substance abuse block grant funding provided to tribes.

### Program Management

- Susan McCraw Helms stated that tribes have trouble spending contracted emergency preparedness dollars and that tribes are overwhelmed by the deliverables most specifically the number of meetings the State requires. She also suggested that the ADHS RBHA contracts should require that qualified tribal psychiatrists be automatically credentialed by local Regional Behavioral Health Authorities (RBHAs). Currently, qualified tribal psychiatrists' diagnosis are being

## AHCCCS/ADHS/ADES Tri-Agency Tribal Consultation Session Summary

questioned and overwritten by RBHA evaluation staff. Director Gerard said she appreciated hearing these concerns and said she would like to follow up in an individual meeting with the tribe. Ms. Gerard also stated that the CDC sets deliverables for emergency preparedness funding, and that those change yearly.

- Alida Montiel commented on the need for annual training on Arizona State Hospital involuntary commitment. Lydia Hubbard-Pourier, ADHS TRBHA Contract Administrator, commented that Catherine Plumb from the state Attorney General's office is responsible for conducting education and training. Non-TRBHA tribes need to work with the RHBA's serving their reservations. The Attorney General's Office with ADHS-DBHS will be conducting training to help address these concerns, and have started with the Navajo Nation.

### System Integration

The tribes expressed a need for partnerships, information sharing, and systems that complement each other in order that quality services are accessible for Native Americans in Arizona. Involvement from programs at the tribal, federal, state, and county levels is integral to this collaboration. The following are some of the comments provided regarding the need for system integration.

- Christina Andrews requested information regarding the payment of IHS contract health services for members of the Tohono O'odham Nation that reside in Mexico. AHCCCS stated that state residency is an eligibility requirement for enrollment in AHCCCS. Information would be obtained from IHS regarding their policy for payment of services to those members residing in Mexico.
- Sandra Irwin requested assistance to create 24-hour crisis teams for suicide response at the Hualapai Tribe. Ms. Irwin also stated the tribe did not have a Tribal Regional Behavioral Health Authority (TRBHA) contract with ADHS and that there was a need for an appropriate facility where an intoxicated individual can sober up.
- Velda Williams, Interim Director, Health Department, San Carlos Apache Tribe, expressed her appreciation for the responsiveness from the state. Ms. Williams indicated that methamphetamine use has created a widespread epidemic across the reservation and that there was a need for continued partnership to address this issue. She also stated that there was room for improvement in the ALTCS program. Velda noted the transportation and socioeconomic barriers that community members experience. Velda provided an example of a situation where a Native American elder living on the reservation was denied coverage because the Globe ALTCS staff went to the wrong residence to conduct the eligibility screening. Ms. Williams indicated the need for cultural competency in the approached used by staff members. Ms. Williams further stated that there was a need for education to tribal leaders and community members regarding available programs and services.

## AHCCCS/ADHS/ADES Tri-Agency Tribal Consultation Session Summary

- Susan McCraw Helms emphasized that many of the issues raised in this Session by tribes may not be isolated issues and to consider the possibility that the issues may be universal in nature. Ms. McCraw Helms further expressed the need for coordination in discharge planning especially for Native American members with chronic illnesses. She stated that opportunities for collaboration may include partnerships with tribal community health representatives. Ms. McCraw Helms also mentioned the need for notification and coordination when members become disenrolled or become ineligible for services. AHCCCS stated that there may be a need for collaboration with the IHS in the area of notification to the patient for renewal of eligibility. AHCCCS sends a renewal notice to the member, but understands that the member may not receive or read the notice in a timely fashion. AHCCCS provides a file to IHS on relevant fee-for-service member files that will be scheduled for renewal in the next month. Ensuring that this information is provided by AHCCCS and obtained by the IHS is a next step.
- George Bearpaw, Acting Director, Tucson Area Indian Health Service, expressed his appreciation for the cooperation and support from AHCCCS and ADHS in working with his office to improve health services for Native Americans in Arizona.
- Kenneth White, Jr. indicated the need for the state to develop and implement an action plan to address many of the issues raised during this Tri-Agency Tribal Consultation Session. He stated that the RBHA/TRBHA system does not work. There is confusion as to who will serve clients. There is a three-provider network comprised of Indian Health Services, the tribes, and the RBHA/TRBHA's. There is a need for a statewide Native American forum on behavioral health to be hosted by ADHS. Director Gerard replied by agreeing that there were problems and that solving them will require everyone working together. Each tribe has unique situations that are better served by individual meetings.
- Thomas Cody expressed the need for communication, education, and outreach from the state to community members and organizations, such as the Navajo Nation Health and Social Services Committee. Mr. Cody also indicated the need for state and tribal collaboration to implement the Governor's Methamphetamine Call to Action in tribal communities. He also indicated that there were some issues where Native American residents were no able to communicate with the providers in nursing facilities located off-reservation. Mr. Cody stated there were issues with Flagstaff Medical Center when the facility refused to take AHCCCS patients. He indicated similar provider refusals were prevalent in reservation "border-town" communities. In addition, he stated that families of individuals that receive services at detoxification facilities need assistance in order for the family to provide a supportive environment for the individual when they return home. Mr. Cody also commented on issues with Coconino County and added that the Navajo Division of Health is the appropriate entity to speak on behalf of the Navajo Nation. AHCCCS stated that with more information, it could look into the cases where members were refused services. AHCCCS may consider addressing this issue through education to its fee-for-service members and providers.



## AHCCCS/ADHS/ADES Tri-Agency Tribal Consultation Session Summary

- Ona Segundo requested information regarding the dental benefits available for individuals enrolled in the Arizona Long Term Care System (ALTCS). Chairwoman Segundo also indicated that there were private providers denying services to eligible Native American members, particularly those providing dental care services.
- Denise Exendine, Chief Executive Officer, Management Services Organization, Phoenix Area Indian Health Service, extended appreciation of the continued collaboration between the Phoenix Area IHS and state agencies such as AHCCCS as we work together to increase access and services for American Indians residing in Arizona..
- Fred Hubbard expressed his appreciation for the existing partnerships with the three state agencies.
- Henry Walden asked about state efforts in assisting tribes in public health data collection for public health planning and involvement of tribes in the Medical Electronic Disease Surveillance Intelligence System (MEDSIS) program. Director Gerard replied that she would direct Richard Porter, ADHS Bureau Chief for Public Health Statistics, to assist the tribes. Michael Allison commented that MEDSIS presentation meetings were held between ADHS and the Gila River Health Department to inform the tribe about the MEDSIS program and how tribes were to be included.

### Summary

The Tri-Agency Tribal Consultation Session clearly identified that regular meetings between the state's health and human services agencies and the tribes are needed in order to improve communications with tribes about how programs work and are funded. There is a great deal of misunderstanding about state programs and who tribes need to call for assistance. Specific questions will be addressed by agency staff and ongoing collaborative communication will continue. In addition, follow up meetings with individual tribes will be scheduled to help the agencies better respond to specific tribal issues.

## AHCCCS/ADHS/ADES Tri-Agency Tribal Consultation Session Summary

### List of Participants Representing Tribes and Pertinent Organizations

<u>Name</u>	<u>Title</u>	<u>Tribe/Organization</u>
Sandra Irwin	Director, Health Department	Hualapai Tribe
Ona Segundo	Chairwoman	Kaibab-Paiute Tribe
Amelia Segundo	CHR Supervisor	Kaibab-Paiute Tribe
Dallas De Lowe	Social Worker/Senior Services Division	Salt River Pima-Maricopa Indian Community
Susan McCraw-Helms	Health Director	Salt River Pima-Maricopa Indian Community
Velda Williams	Interim Health Director	San Carlos Apache Tribe
Christina Andrews	Director of Health & Human Services	Tohono O'odham Nation
Harry Claw	Tribal Council	Navajo Nation
Thomas Cody	Legal Analyst/Division of Social Svcs.	Navajo Nation
Henry Walden	Director, Health Resource Dept.	Gila River Indian Community
Donna Vigil	Health Authority Executive Director	White Mountain Apache Tribe
Ken White	Business Manager	Fort Defiance Indian Hospital
Vivian Upshaw	Supervisory Health System Specialist	Fort Defiance Indian Hospital
Brian Zah	Director of Contract Health Services	Phoenix Indian Medical Center
Denise Exendine	Business & Revenue Services	Phoenix Area Indian Health Service
Sandra Champagne	Case Management	Phoenix Indian Medical Center
Linda Fafard	Case Management	Phoenix Indian Medical Center
Shirley Hunter	Business Office	Parker Indian Health Center
Loretta Lee	Health Systems Specialist	Parker Indian Health Center
George Bearpaw	Acting Director	Tucson Area Indian Health Service
John Kittredge	Chief Medical Officer	Tucson Area Indian Health Service
Alida Montiel	Health Systems Analyst	Inter Tribal Council of Arizona, Inc.
Darcy Roybal	Tribal Liaison	Magellan Health Services of Arizona

### List of Participants Representing State Agencies and Departments

<u>Name</u>	<u>Title</u>	<u>Tribe/Organization</u>
Anthony Rodgers	Director	AHCCCS
Carol Chicharello	Tribal Relations Liaison	AHCCCS
Robert Birdwell, DDS	Dental Director	AHCCCS
Robert Lindley	Health Policy & Research Consultant	AHCCCS
John Molina, MD	Medical Director	AHCCCS
Rebecca Fields	Claims Administrator	AHCCCS
Kyra Westlake	Claims Policy	AHCCCS
Melanie Norton	Deputy Assistant Director	AHCCCS
Julie Swenson	KidsCare/DES Policy Manager	AHCCCS
Alan Schafer	ALTCS Manager	AHCCCS
Filmer Lallo	Tribal Case Management Coordinator	AHCCCS
Tracy Wareing	Director	ADES
Kathleen Kitcheyan	Tribal Liaison	ADES
Veronica Bossack	Director/Benefits & Medical Eligibility	ADES
Rex Critchfield	Director/Aging & Adult Services	ADES
Ann Marie Mena	Deputy Assistant Director/Child Support	ADES
Lewis Lane	Tribal Liaison	ADES
Julie Allison	Social Worker/Senior Services Division	ADES
Rich Slay	Policy Specialist	ADES
Susan Gerard	Director	ADHS
Michael Allison	Native American Liaison	ADHS
Lydia Hubbard-Pourier	TRBHA Contract Administrator	ADHS
Merv Lynch	Program Representative/DBHS	ADHS
Kim Russell	Community Development Manager	ADHS
Margaret Russell	Bureau Chief of Policy/DBHS	ADHS
Patricia Tarango	Bureau Chief	ADHS
Judy Norton	Bureau Chief/Office of HIV/AIDS Svcs.	ADHS
Margie Tate	Bureau Chief/Chronic Disease	ADHS

## AHCCCS/ADHS/ADES Tri-Agency Tribal Consultation Session Summary

Virginia Warren  
Fred Hubbard  
Lydia Guerra  
Traci Morris  
Brad Tritle  
Marnie Hodahkwen

Chronic Disease Section Manager  
Executive Director  
Administrative Assistant  
Program Specialist  
Executive Director  
Policy Advisor, Tribal Affairs

ADHS  
Advisory Council on Indian Health Care  
Advisory Council on Indian Health Care  
Arizona Commission on Indian Affairs  
Arizona Health-e Connection  
Office of the Governor

## **Attachment 2**

AHCCCS Tribal Consultation Meeting Summary  
July 11, 2008

**Introduction**

The AHCCCS Tribal Consultation Meeting was held on July 11, 2008 at the AHCCCS Administration. The meeting was held to provide updated information and obtain feedback from tribes regarding various anticipated programmatic changes. The programmatic changes are in accordance with legislation enacted into law during the 2008 Legislative Session and in accordance with changes approved by the AHCCCS Administration. The following changes and updates were covered during the Tribal Consultation Meeting.

- AHCCCS Tribal Consultation Policy
- New Hire Directory (Effective Date: October 1, 2008)
- Long Term Care Partnership Program (Effective Date: 2009)
- Self-Directed Attendant Care Services (Effective Date: October 1, 2008)
- Tobacco Cessation Medication Coverage (Effective Date: October 1, 2008)
- AHCCCS Budget Provisions (Fiscal Year 2009)
- Proposed Employer Sponsored Insurance Program (Pending Approval)
- IHS/AHCCCS Name Change
- Referral Policy Changes (Effective Date: October 1, 2008)
- Member Handbook and Website Updates (Effective Date: September 2008)
- AHCCCS American Indian Health Program Kickoff (September 19, 2008)

Monica Coury, Assistant Director, Intergovernmental Relations, welcomed participants and facilitated the Tribal Consultation Meeting. At the beginning of the meeting, Tribal Relations Liaison, Carol Chicharello, distributed the current AHCCCS Tribal Consultation Policy for review and provided a brief overview about the purpose of the meeting. The Tribal Consultation Policy is included as Attachment A.

**Programmatic Changes –**

Jennifer Hott, Chief Legislative Liaison, presented information on four programmatic changes that would take effect according to legislation enacted in the 2008 Legislative Session and information on the AHCCCS budget provisions.

New Hire Directory

The first programmatic change presented was the New Hire Directory. The New Hire Directory is a directory already available to the Department of Economic Security and provides information on newly hired employees in the State of Arizona. Federal authority permits AHCCCS and other state Medicaid programs to utilize a new hire directory to obtain information on Title XIX members for their respective states. The New Hire Directory state legislation was enacted to allow AHCCCS to access the New Hire Directory in the State of Arizona. Attachment B provides more information on the New Hire Directory.

Comments:

No comments were made regarding this change.

Long Term Care Partnership Program

The second programmatic change presented was the Long Term Care Partnership Program. The Long Term Care Partnership Program would be a program available to encourage individuals to purchase their own private long term care insurance policy. The program would

be designed to provide an incentive to these individuals when, and if, the policy's maximum benefit is reached. Under this program, if the individual were to apply for the Arizona Long Term Care System (ALTCs) Program, the amount of the benefit capped on their previous long term care policy would be disregarded from the person's assets when determining financial eligibility. Attachment B provides more information on the Long Term Care Partnership Program.

Comments:

No comments were made regarding this change.

#### Self-Directed Attendant Care Services

Self-Directed Attendant Care Services will be a change to the Arizona Long Term Care System (ALTCs) Program. Under this change, ALTCs members residing in the home setting will be given the option to "hire" their own attendant care service providers and self-direct their care. The member would have to be mentally stable and competent. The caregiver would be required to train under a registered nurse in order to provide certain skilled services to the ALTCs member under this option. Attachment B provides more information on Self-Directed Attendant Care Services.

Comments:

- Roselyn Begay, Division of Health, Navajo Nation, asked if self-directed attendant care providers would be at the community level. Ms. Begay further clarified that the Navajo Nation programs including the Community Health Representative (CHR) Program and the Area Agency on Aging (AAA) provide similar services to home-bound community members.
  - AHCCCS staff responded by stating that this option would be available to ALTCs members residing in the home setting. The ALTCs member would have to meet the mental stability and competency requirement.
- Amelia Segundo, Community Health Representative Program, Kaibab-Paiute Tribe requested clarification of whether or not the CHRs would be paid by AHCCCS under this program.
  - AHCCCS staff responded that the ALTCs Manager, Alan Schafer, would need to be contacted to answer this question. The AHCCCS Medical Policy Manual (AMPM), Chapter 1300, contains the policy regarding Self-Directed Attendant Care Services.
- Ginger Fligger, Business Office, Gila River Health Care Corporation, asked if hospice was still a covered benefit for IHS/AHCCCS acute care members.
  - AHCCCS staff responded in the affirmative that under the acute care program, hospice is still a covered benefit.

#### Tobacco Cessation Medication Coverage

The Tobacco Cessation Medication Coverage change will allow for AHCCCS to offer tobacco cessation medications to its members that receive services through the Arizona Department of Health Services Tobacco Education and Prevention Program (TEPP). Attachment B provides a brief overview on Tobacco Cessation Medication Coverage.

Comments:

- Kim Russell, Human Services, Inter Tribal Council of Arizona, Inc. stated that 7 of out of 22 tribes, including the Navajo Nation, have TEPP contracts with ADHS. Ms. Russell asked about whether members of tribes that do not have TEPP contracts with ADHS would be eligible for this program.
  - AHCCCS staff responded that ADHS TEPP services would also be available by phone and realizes that many tribal members may not have a home telephone.
- Patsy Sneezy, Community Health Representative Program, San Carlos Apache Tribe, stated that the San Carlos Apache Tribe also did not have a TEPP contract.
  - AHCCCS responded that appropriate ADHS and AHCCCS staff overseeing policy regarding Tobacco Cessation Medication Coverage would be consulted about the need for consideration for tribal members without access to TEPP services

#### AHCCCS Budget Provisions

The AHCCCS Budget Provisions included various programmatic changes and reporting requirements. Programmatic changes include the elimination of ALTCS Dental, continues non-ALTCS Hospice, places KidsCare Parents into permanent law, suspends Social Security Disability Insurance – Temporary Medical Coverage (SSDI-TMC), and other changes. Attachment B provides more information on changes resulting from the budget provisions.

#### Comments:

- Julia Ysaguirre, Contract Health Services, Phoenix Area Indian Health Service Office, asked if there was any support in the legislature for Healthcare Group, as the program has been on the chopping block in previous years.
  - AHCCCS staff responded that two state legislators were able to push some changes to the program and garner support of the program.

#### **Proposed Employer Sponsored Insurance Program**

The Employer Sponsored Insurance (ESI) Program was proposed to the Centers for Medicare and Medicaid Services (CMS). The proposed ESI Program would be an option for children enrolled in the KidsCare Program. The option would serve as an alternative to the traditional KidsCare program and provide a premium subsidy for a child if they were to enroll with their parent's employer-sponsored insurance. Attachment C provides more information on this program.

#### Comments:

- Roselyn Begay, Division of Health, Navajo Nation, asked if there was a requirement for paperwork under this program. Ms. Begay also stated that employees of the Navajo Nation have 100% of their premiums covered and 70% of dependents' premiums covered under the Navajo Nation's employee insurance coverage. Roselyn also pointed out that Native Americans are exempt from cost sharing requirements under the traditional KidsCare Program. Ms. Begay then asked for confirmation that Native American KidsCare enrollees would have to pay for any applicable cost sharing requirements of the employer sponsored insurance under this option.
  - AHCCCS staff responded that there is a requirement for paperwork, including verification of employment and enrollment in the employer's package. Native Americans are exempt from KidsCare premiums, but will be subject to any cost-sharing requirements under the employer's insurance package if the ESI option is chosen.

- Kathy Kitcheyan, Health Department, San Carlos Apache Tribe, asked if children would still be able to access services in a rehab center if the ESI option was chosen. Ms. Kitcheyan also asked when ESI would be finalized.
  - AHCCCS staff affirmed that children would still be able to access the same services under the ESI option as they would in the traditional KidsCare Program. In response to Kathy's second question, AHCCCS staff replied that the proposed ESI program is under review by CMS. The waiver requirement states that the program needs to be implemented by October 1, 2008. If the program is not implemented, there is a penalty provision. If CMS has not approved the program before this date, AHCCCS would likely seek an exemption from this requirement from CMS.
- Julia Ysaguirre, Contract Health Services, Phoenix Area Indian Health Service (IHS) Office, asked if employers can decide not to participate in the proposed ESI Program.
  - AHCCCS staff responded in the affirmative, that employers may choose not to participate in the ESI Program.
- Patsy Sneezy, Community Health Representative (CHR) Program, San Carlos Apache Tribe, asked if the ALTCS eligibility staff is eligible for the proposed ESI Program. While on the subject of ALTCS eligibility, Patsy stated that the local ALTCS office in Globe used to employ a Native American ALTCS eligibility interviewer, but currently does not. In fact, an interviewer travels from Casa Grande to provide these eligibility interviews to ALTCS applicants at the San Carlos Apache Tribe. Ms. Sneezy stated that the CHR Program helps the interviewer find where the applicants reside. Patsy stated that there was a need for an eligibility interviewer that has access to the community and speaks Apache or at least has an interpreter.
  - AHCCCS staff stated that State employees are exempt from the KidsCare programs. The need for eligibility staff to appropriately serve ALTCS applicants at the San Carlos Apache Tribe will be researched further.
- Terry Ross, Social Services, San Carlos Apache Tribe, stated that many tribal members have failed the ALTCS medical eligibility interview, partly because of differences in communication between eligibility interviewers and ALTCS applicants.
- Adolph Benavidez, San Simon Health Center, Tucson Area Indian Health Service, asked if the One-E Application would be modified to include the ESI option.
  - AHCCCS staff clarified that the child would have to first be determined KidsCare eligible, whereupon the parent will be notified about the options.
- Patsy Sneezy, CHR Program, San Carlos Apache Tribe, stated there are some tribal members employed by the San Carlos Apache Tribe that have low incomes. Ms. Sneezy asked if children of these employees can get coverage through the parent's employer sponsored insurance.
  - AHCCCS staff stated that if these children were KidsCare eligible, they would have access to the proposed ESI program.
- Kathy Kitcheyan, Department of Health, San Carlos Apache Tribe, asked if the income level was disregarded.
  - AHCCCS staff stated that the income eligibility requirements for the KidsCare Program would have to be met for this program.



- Julia Ysaguirre, Contract Health Services, Phoenix Area IHS Office, added that eligible families and children can opt to stay with the traditional KidsCare Program.
- Gloria Anguiano, Santa Rosa Health Center, Tucson Area IHS, asked if Native Americans employed by the State are ineligible for the KidsCare Program.
  - AHCCCS staff clarified that State employees cannot be eligible for the KidsCare Program and this eligibility requirement has not changed.
- Patsy Sneezy, CHR Program, San Carlos Apache Tribe, stated that some ALTCS Home and Community Based Services (HCBS) providers consider themselves state employees.
  - AHCCCS staff responded that although HCBS providers are paid for services provided to ALTCS members, these individuals can apply for the KidsCare program.

### **IHS/AHCCCS Fee-for-Service Program**

John Molina, M.D., Medical Director and Assistant Director of the Division of Fee-for-Service Management, presented on various changes to the IHS/AHCCCS fee-for-service acute care option for Native American AHCCCS members.

#### Program Name Change

The program name of the fee-for-service acute care option for Native Americans has changed from the name of "IHS/AHCCCS" to "AHCCCS American Indian Health Program." The former name of "IHS/AHCCCS" seemed to be problematic in many ways for members and providers. For example, providers would confuse IHS as the payor of services provided to the AHCCCS member. In other cases, non-IHS/638 providers have sent members back to the IHS/638 facility because of the misconception that only IHS/638 could provide services to this population. Based on feedback received from consultation with tribes, IHS Areas and facilities, urban Indian health programs, the Inter Tribal Council of Arizona, Inc., and the Advisory Council on Indian Health Care, the new name was composed. The new name has become effective as of July 1, 2008. It is likely that it will take some time for members and providers to become familiar with the new name and for the agency to use the new name consistently.

#### Comments:

- Kathy Kitcheyan, Health Department, San Carlos Apache Tribe, asked why the name refers to "American Indians" and not "Native Americans."
  - AHCCCS staff responded that the term seemed most acceptable and consistent by the consulted parties.
- Julia Ysaguirre, Contract Health Services, Phoenix Area IHS Office, asked if the online member eligibility verification system still uses the term "Indian Health Service" as the name for the fee-for-service program. Julia's concern is that providers will continue to route inquiries and claims to IHS which results in lost time in filing claims.
  - AHCCCS staff stated that the change to the verification system would occur and that issuance of new member cards to all AHCCCS members is expected to occur in October 2008.
- Julia Ysaguirre, Contract Health Services, Phoenix Area IHS Office, requested for AHCCCS call center training to clarify that DFSM is the health plan and to route calls appropriately.
- Kathy Kitcheyan, Health Department, San Carlos Apache Tribe, asked if services under the AHCCCS American Indian Health Program would remain the same, despite the

program's change in name. Ms. Kitcheyan also suggested the possibility of using the name AHCCCS/IHS, because the term "IHS" is what tribal members are used to.

- AHCCCS responded that the services would remain the same under the new name.
- Julia Ysaguirre, Contract Health Services, Phoenix Area IHS Office, stated that she would prefer the name "AHCCCS Fee-for-Service" over a name including the term "IHS."
- Patsy Sneezy, CHR Program, San Carlos Apache Tribe, also stated that some tribally-operated 638 facilities are not referred to as "IHS."

#### Proposed IHS/AHCCCS Referral Policy Changes

The proposed changes to the IHS/AHCCCS Referral Policy have to do with the process by which AHCCCS American Indian Health Program (formerly IHS/AHCCCS) members can access certain categories of service from non-IHS/638 AHCCCS-registered providers. Currently, in order for these members to receive coverage for seven types of services when provided by a non-IHS/638 provider, a referral has to be initiated by an IHS/638 provider. This becomes particularly problematic when AHCCCS American Indian Health Program members "self-refer" or choose to see a non-IHS/638 AHCCCS-registered provider. This requirement becomes a barrier to care in these scenarios. The change would eliminate the referral requirement. Applicable prior authorization requirements would still remain effective. Attachment D provides more information on the current Referral Policy.

#### Comments:

- Ginger Fligger, Business Office, Gila River Health Care Corporation, asked if prior authorizations for non-emergency transportation over 100 miles would still apply.
  - AHCCCS staff replied that prior authorization requirements would still apply.
- Dr. Lisa Courtney, Health Department, Hualapai Tribe, asked about how the tribal program could bill for non-emergency transportation they provide to AHCCCS members receiving behavioral health services. The program has already received their National Provider Identifier (NPI) number.
  - AHCCCS staff replied that the provider would have to be AHCCCS-registered. The non-emergency transportation for behavioral health services could be billed based on the enrollment of the member, i.e. RBHA or TRBHA.
- Julia Ysaguirre, Contract Health Services, Phoenix Area IHS Office, stated that the Hualapai non-emergency transportation provider would likely have to contract with the Northern Arizona Regional Behavioral Health Authority (NARBHA) for reimbursement.
- Kathy Kitcheyan, Health Department, San Carlos Apache Tribe, requested clarification on whether or not page 5 of the document entitled, "IHS Referrals," was the policy being revised.
  - AHCCCS staff stated that the policy entitled "IHS Referrals" is the current policy under revision.
- Kathy Kitcheyan, Health Department, San Carlos Apache Tribe, recommends that another session be held to review the Referral Policy and the Prior Authorization Policy.
- Patsy Sneezy, CHR Program, San Carlos Apache Tribe, recommended that there be an opportunity for participants on the phone to review the policies.

- Kim Russell, Human Services, Inter Tribal Council of Arizona, Inc., asked if the policy distributed was the policy that is currently in effect.
  - AHCCCS staff replied that the policy distributed in the meeting was the current policy. AHCCCS staff further stated that non-IHS/638 providers would need to be educated through various forms of outreach including the *Claims Clues* Newsletter.
- Kathy Kitcheyan, Health Department, San Carlos Apache Tribe, asked if IHS could help educate other providers, including non-IHS/638 providers, in the spirit of cooperation and collaboration.
- Julia Ysaguirre, Contract Health Services, Phoenix Area IHS Office, stated that IHS supports AHCCCS in making the proposed change to eliminate the referral policy. Julia also stated that AHCCCS members may not be aware that this procedure exists.

#### Member Handbook and Other Updates

The Member Handbook is a handbook under development by the Division of Fee-for-Service Management (DFSM) and will be designed specifically for AHCCCS American Indian Health Program members. Other AHCCCS-contracted health plans have member handbooks that include very useful information for their respective members. The member handbook will be designed to help the member navigate the system and provide information on covered services. The handbook is expected to be ready by September 2008. Bruce Jameson, Outreach Manager, is the primary contact regarding the member handbook.

An AHCCCS American Indian Health website specifically for American Indian AHCCCS members and Indian health providers is currently being composed by the Outreach Manager and the Tribal Relations Liaison. The site is expected to be complete and posted on the current [www.azahcccs.gov](http://www.azahcccs.gov) website by September 2008.

Another important update is that AHCCCS plans to host a kickoff event for the AHCCCS American Indian Health Program on September 19, 2008 from 1 p.m. – 3:00 p.m. The kickoff event will be held to celebrate accomplishments in the AHCCCS American Indian Health Program (formerly IHS/AHCCCS), introduce the new tools that will be available, and provide visionary expectations as we move forward through collaboration between the AHCCCS and the Indian Health Service, tribally-operated 638 programs, urban Indian health programs, and tribal governments.

#### Comments:

- Kim Russell, Human Services, Inter Tribal Council of Arizona, Inc., expressed her excitement about the upcoming member handbook. Ms. Russell asked if the handbooks would be made available to hospitals and Indian health providers.
  - AHCCCS staff stated that the handbook would be available on the website for printing, but would not be distributed by AHCCCS at the time of release. Posting on the website would allow for updates to be made quickly and easily and would be cost-effective.
- Patsy Sneezy, CHR Program, San Carlos Apache Tribe, asked if a draft of the member handbook would be available.
  - AHCCCS staff stated that a draft would be made available. The current draft is about 50-60 pages total.

- Julia Ysaguirre, Contract Health Services, Phoenix Area IHS Office, stated that the Federal Employee Health Benefit Program makes 2 handbooks available, including one that is primarily a provider directory.
- Rita Moreno, Contract Health Services (CHS), Phoenix Area IHS Office, indicated that the CHS program has a tri-fold pamphlet that is brief and to the point. Rita stated that an abbreviated version at an appropriate reading level may be helpful. Ms. Moreno stated that perhaps in the future the handbook(s) could be translated into tribal languages.
- Patsy Sneezy, CHR Program, San Carlos Apache Tribe, stated that AHCCCS may consider providing more information on the ALTCS program, including trust-only income and share of cost. Although the ALTCS eligibility specialists are able to educate on these topics, at times this does not occur. Patsy indicated that providing information such as that which will be included in the handbook will be helpful, especially to the CHRs that need to be familiar with various programs and benefits in order to assist their clients.
- Agatha Anhill, Health Transportation, Tohono O'odham Nation, asked if there was a way to print claims by batch versus individually as the latter process takes time.
  - AHCCCS staff replied that the system is currently being worked on to try to allow for claims to be printed by batch.

**Next Steps / Future Activities**

The Tribal Relations Liaison will coordinate a meeting on August 11, 2008 to provide tribes an opportunity to review and provide feedback on the IHS/AHCCCS Referral Policy and the IHS/AHCCCS Member Handbook. Meeting notices and appropriate materials will be provided for this meeting and for the AHCCCS American Indian Health Program Kick-off Event.

**Meeting Participants**In-person**Tribal Representatives –**

Amelia Segundo, Health Supervisor, Kaibab-Paiute Tribe  
Mary Lynn Marshbura, Health Educator, Salt River Pima-Maricopa Indian Community  
Patsy Sneezy, Community Health Representative Program Manager, San Carlos Apache Tribe  
Agatha Anhill, Billing Technician, Tohono O'odham Nation  
Terry Ross, Social Services Director, San Carlos Apache Tribe  
Kim Russell, Human Services Coordinator, Inter Tribal Council of Arizona, Inc.  
Kathy Kitcheyan, Department of Health and Human Services Director, San Carlos Apache Tribe

**Indian Health Service Representatives –**

Julia Ysaguirre, Contract Health Services (CHS) Director, Phoenix Area Indian Health Service  
Rita Moreno, CHS Health System Specialist, Phoenix Area Indian Health Service  
Gary Breshears, Executive Officer, Phoenix Area Indian Health Service  
Keith Longie, Deputy Director / Field Operations, Phoenix Area Indian Health Service

**AHCCCS Staff –**

Carol Chicharello, Tribal Relations Liaison, Office of Intergovernmental Relations

Jennifer Hott, Chief Legislative Liaison, Office of Intergovernmental Relations  
Monica Coury, Assistant Director, Office of Intergovernmental Relations  
John Molina, M.D., Medical Director and Assistant Director, Division of Fee-for-Service Management  
Albert Escobedo, Information Technology/Business Process Development Manager and Acting Provider Registration Manager, Division of Fee-for-Service Management  
Bruce Jameson, Outreach Manager, Division of Fee-for-Service Management  
Linda Chelius, Prior Authorization Manager, Division of Fee-for-Service Management  
Becky Fields, Claims Administrator, Division of Fee-for-Service Management  
Maureen Sharp, Office of Medical Policy and Programs  
Claire Sinay, Office of Medical Policy and Programs

By Phone

Tribal Representatives –

Demetra Barr, M.D., Health Director, Wassaja Memorial Health Center, Fort McDowell Yavapai Nation  
Dr. Noel Habib, Gila River Health Care Corporation  
Pamela Thompson, Gila River Health Care Corporation  
Ginger Fligger, Gila River Health Care Corporation  
Dr. Lisa Courtney, Hualapai Tribe  
Pete Imus, Hualapai Tribe  
Roselyn Begay, Division of Health, Navajo Nation  
Carol Mark, Community Health Representative Program, Navajo Nation  
Laverne Wyaco, Director, Navajo Area Agency on Aging  
Patsy Triana, Health Department, Pascua Yaqui Tribe  
Carmen Estrella, Health Department, Pascua Yaqui Tribe  
Irene Sanchez, Health Department, Pascua Yaqui Tribe  
Vicenta Munoz, Health Department, Pascua Yaqui Tribe  
Nellie Hernandez, Health Department, Pascua Yaqui Tribe  
Angelica Gomez, Health Department, Pascua Yaqui Tribe  
Arlene Cocio, Health Department, Pascua Yaqui Tribe  
Angela Coleman, Health Department, Pascua Yaqui Tribe  
Andres Flores, Health Department, Pascua Yaqui Tribe  
Esperanza Garcia, Health Department, Pascua Yaqui Tribe  
Mary Cupis, Health Department, Pascua Yaqui Tribe  
Tula McCarthy, Health Department, Pascua Yaqui Tribe  
Emmie Cromwell, White Mountain Apache Tribe

Indian Health Service Representatives –

Mary Lingruen, Tucson Area Indian Health Service  
Felix Mike, Jr., Sells Hospital  
Gloria Anguiano, Santa Rosa Health Center  
Donald Gerstner, Santa Rosa Health Center  
Adolph Benavidez, San Simon Health Center

**Attachments**

A - AHCCCS Tribal Consultation Policy  
B - AHCCCS Legislative Updates

C - Proposed Employer Sponsored Insurance Program  
D - Current IHS/AHCCCS Referral Policy

**Attachment A:**

AHCCCS Tribal Consultation Policy

## **Arizona Health Care Cost Containment System (AHCCCS) Tribal Consultation Policy**

### **1. Introduction**

The mission of the Arizona Health Care Cost Containment System (AHCCCS) is to provide comprehensive, quality health care to those in need. AHCCCS and Indian Tribes in the State of Arizona share the common goal of decreasing health disparities and maximizing access to critical health services. In order to achieve this goal, it is essential that AHCCCS and Indian Tribes engage in open, continuous, and meaningful consultation. True consultation consists of ongoing information exchange and mutual understanding which leads to informed decision-making.

### **2. Background**

A unique government-to-government relationship exists between Indian Tribes and Federal and State Governments. Since the formation of the Union, the United States has recognized Tribal Governments as sovereign nations. Treaties and laws, together with court decisions, have defined a relationship between Indian Tribes and the Federal Government that is unlike that between the Federal Government and any other group of Americans. The Federal Government has enacted numerous regulations that establish and define a trust relationship with Indian Tribes (see Appendix A). As a state agency responsible for administering a federal program, these regulations play a significant role in the AHCCCS Tribal Consultation Policy.

### **3. Policy**

The guiding principle of this Policy is to ensure that, pursuant to the special relationship between the Indian Tribes and Federal and State Governments, reasonable notice and opportunity for consultation with Indian Tribes is provided by the AHCCCS Administration regarding high-level policy changes that significantly impact Indian Tribes in the State of Arizona. High-level policy changes that significantly impact Indian Tribes refer to actions that have substantial Tribal implications with direct effects on one or more Indian Tribes, on the relationship between the State of Arizona and Indian Tribes, or on the distribution of power and responsibilities between the State of Arizona and Indian Tribes.

### **4. Philosophy**

AHCCCS is the health care insurance provider for a considerable percentage of Arizona's American Indian population. The involvement of Indian Tribes in the development of AHCCCS policy allows for locally relevant and culturally appropriate approaches to important issues. Therefore, AHCCCS is committed to working with Indian Tribes to improve the quality, availability, and accessibility to care for American Indians in Arizona.

### **5. Objectives**

In order to fully effectuate this Policy, the AHCCCS Administration will:

- 1) Establish communication channels with the elected leader of each tribe and the appointed leadership of the Division of Health for each Tribe in Arizona. The AHCCCS Administration recognizes a standing goal of working with Tribes is to increase their knowledge and understanding of AHCCCS programs and policies.
- 2) Seek timely consultation with Indian Tribes to discuss potential changes to high-level policy that would have a significant impact on Indian Tribes.
- 3) Allow for consultation with Indian Tribes in the development of new policy with substantial Tribal implications, including State Plan Amendments and Waiver proposals.
- 4) Coordinate within the Agency to ensure consistent application of the Tribal Consultation Policy.



**Arizona Health Care Cost Containment System (AHCCCS)  
Tribal Consultation Policy**

**6. Principles**

Trust among AHCCCS and Indian Tribes is an indispensable element in establishing a good consultative relationship. To establish and maintain trust, consultation must occur on an ongoing basis. The AHCCCS Administration, guided by the Tribal Relations Liaison, shall use the guidelines in Section 7 to determine the nature and extent of consultation that should occur to ensure that the intent of this Policy is satisfied.

Consultation occurs whenever the AHCCCS Director and Tribal Official(s), and/or their designees, engage in oral or written correspondence to discuss an issue. Consultation with a single Indian Tribe will not substitute for consultation with other Tribes on issues that may affect more than one Tribe.

AHCCCS staff persons who have a role in the development or implementation of policy substantially affecting American Indians or Indian Tribes in the State of Arizona shall understand the purpose of the AHCCCS Tribal Consultation Policy, its expectations, and its anticipated outcomes.

**7. Consultation Process**

AHCCCS engages in consultation with Indian Tribes about policy issues at a variety of levels through a variety of methods to facilitate Tribal consultation on policies that directly affect American Indians and Indian Tribes in Arizona.

**A. Direct Consultation by the AHCCCS Administration**

**1) New or Changing Policy or Program Implementation**

- a. When it appears that a new or changed AHCCCS policy may be needed, the AHCCCS Administration shall consider whether the policy change is likely to have a significant impact on Indian Tribes in the State of Arizona.
- b. If an issue is identified that is likely to have a significant impact on Indian Tribes in the State of Arizona, the AHCCCS Administration shall provide timely written notice to Arizona Indian Tribes soliciting feedback and recommendations regarding the issue. Such solicitations shall be directed to Tribal leaders explaining the background, describing the proposed action, and requesting a response within a given timeframe.
- c. If a Tribal elected or appointed official requests additional information or provides feedback regarding an issue, the AHCCCS Administration shall communicate, verbally or through written correspondence, with the official to provide a timely and substantive response.
- d. Face-to-face consultation sessions may be scheduled. Such sessions may be scheduled as a single statewide meeting, or in conjunction with other statewide meetings.
- e. The AHCCCS Administration may also provide written notice and a solicitation for feedback to non-Tribal organizations such as the Advisory Council on Indian Health Care, the Inter Tribal Council of Arizona, and the Indian Health Service Area Offices in Arizona. Such communications do not substitute for direct communication with the Indian Tribes in Arizona.

**B. Ongoing Consultation**

**Arizona Health Care Cost Containment System (AHCCCS)  
Tribal Consultation Policy**

- 1) The AHCCCS Administration will participate in HHS regional consultations, and, as requested, in consultation meetings sponsored by HHS agencies, the Indian Health Service or Indian Tribes.
- 2) The AHCCCS Administration will provide an opportunity for submission of written comments during any period of ongoing consultation.
- 3) The AHCCCS Administration will continue to meet regularly with Indian Tribes in the State of Arizona. To the extent issues of general application are discussed in such meetings, the Tribal Relations Liaison or other designated AHCCCS staff will provide follow-up, as appropriate.

8. Joint Tribal/State Workgroups

A. Joint Tribal/Federal Workgroups and Task Forces

AHCCCS may establish or participate in workgroups, task forces or other groups or committees with Indian Tribes and others to address issues affecting American Indians and Indian Tribes in Arizona.

B. Limitations

Neither interaction with the Advisory Council on Indian Health Care, nor with other workgroups, task forces or committees, will take the place of Tribal consultation. Instead, this interaction is intended to enhance the consultation process by gathering individuals with extensive knowledge of particular policy, practice, issues, or concerns to work collaboratively and offer recommendations for consideration by the AHCCCS Administration.

9. Effective Date

This Policy is effective on the date of signature by the AHCCCS Director.

10. Summary

The AHCCCS Administration views Tribal consultation as a dynamic process. Joint effort between the Indian Tribes, the AHCCCS Director, the Tribal Relations Liaison, and AHCCCS divisions will promote the objectives of the Tribal Consultation Policy. Together they will further consistent implementation of the Policy and work to ensure that the Policy plays a meaningful role in addressing issues affecting Indian Tribes in the State of Arizona and American Indians.

**Arizona Health Care Cost Containment System (AHCCCS)  
Tribal Consultation Policy**

Appendix A:

The special relationship between the Federal Government and Indian Tribes is affirmed in statutes and various Presidential Executive Orders including, but not limited to:

- The Snyder Act, P.L. 67-85
- Older Americans Act of 1965, P.L. 89-73 as amended
- Indian Self-Determination and Education Assistance Act, P.L. 93-638, as amended
- Native American Programs Act of 1974, P.L. 93-638, as amended
- Indian Health Care Improvement Act, P.L. 93-644, as amended
- Social Security Act, Titles IXX, XX, XXI
- Unfunded Mandates Reform Act of 1995, P.L. 104-4
- Personal Responsibility and Work Opportunity Reconciliation Act of 1996, P.L. 104-193
- Presidential Executive Memorandum to the Heads of Executive Departments dated April 29, 1994
- Presidential Executive Order 13084, Consultation and Coordination with Indian Tribal Governments, May 14, 1998
- Presidential Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, November 6, 2000
- Presidential Memorandum, Government-to-Government Relationship with Tribal Governments, September 23, 2004

**Attachment B:**

AHCCCS Legislative Updates

## **AHCCCS Legislative Update**

### **SB1133 AHCCCS; DES; new hires directory (Senator Leff)**

SB1133 codifies federal law authorizing AHCCCS to utilize information housed in the New Hire Directory at the Department of Economic Security to verify the eligibility of Title XIX applicants and enrollees.

*Signed into law 04/28/08; Laws 2008, Chapter 79*

### **SB1223 insurance; long-term care (Senator Allen)**

SB1223 implements the statutory requirements of the Deficit Reduction Act allowing the State to enter into Long-Term Care Partnership Programs with the private insurance industry. Under the auspices of the Long-Term Care Partnership Program, individuals will be permitted to purchase long-term care insurance in the private market and then disregard the amount of the private benefit paid for the purpose of income eligibility in the event that the individual reaches the benefit cap on the private policy and chooses to apply for Medicaid.

*Signed into law 05/20/08; Laws 2008, Chapter 230*

### **SB1329 AHCCCS; self-directed care services (Senator Allen)**

SB1329 permits qualified long-term care members who are enrolled in home and community-based services to hire an approved attendant caregiver (e.g. neighbor or friend) to provide skilled attendant care services and obtain reimbursement through AHCCCS. The legislation requires AHCCCS to work with the Board of Nursing to determine what services would be permitted under the Self-Directed Care program and additionally requires the Agency to report to the Governor and the Legislature in 2011 on the utilization of the program.

*Signed into law 04/21/08; Laws 2008, Chapter 58*

### **SB1418 AHCCCS; tobacco cessation medication; coverage (Senator Leff)**

SB1418 authorizes AHCCCS and its contractors to offer nicotine replacement therapies and tobacco use medications to AHCCCS members. AHCCCS and ADHS will be entering into intergovernmental agreement to leverage funds from the Tobacco Education and Prevention Account (TEPP) in order to draw down federal matching monies to fund the increased capitation to the health plans.

*Signed into law 04/29/08- Laws 2008, Chapter 131*

## **SB1133 AHCCCS; DES; new hires directory**

### **Background:**

Individuals must meet certain income eligibility criteria in order to be eligible to receive AHCCCS services. AHCCCS members are required to report any changes in income that may affect their eligibility, like a change in employment status. However, relying solely on member self-reporting can create delays in the receipt of information. For this reason, the AHCCCS Administration may not be aware of a member's new employment and potential ineligibility to receive services. Under current federal law, AHCCCS does not have the authority to recoup benefits paid from individual members if it is determined that an enrolled member is no longer eligible.

### **How is employment information gathered now?**

Employment information is gathered through member self-reporting. The AHCCCS Administration also accesses the Work Number system, which includes information gathered from Arizona employers on a voluntary basis. Unfortunately, the information available via this resource is limited to large employers. Thus, AHCCCS currently is unable to obtain the most up-to-date employment information from all businesses across the State of Arizona.

### **What is the New Hire Directory?**

Under current law, employers are required to report new employees to the State of Arizona. This information is stored in the New Hire Directory as part of the Division of Child Support within the Department of Economic Security. Federal law permits Medicaid agencies to access this information for the purpose of determining continued eligibility for beneficiaries.

### **How would information in the New Hire Directory be utilized?**

Under the auspices of this legislation, AHCCCS would utilize the information in the Directory to determine which of its members have obtained new employment. From this point, AHCCCS eligibility workers would contact those newly employed members to determine whether, based on their increased income, they are still eligible to receive services.

### **Will the New Hire Directory be utilized to determine the continued eligibility of all enrolled populations?**

Under current federal law, information in the Directory may only be utilized for determining the continued eligibility of members enrolled in Title XIX populations- Acute Care and Arizona Long-Term Care. AHCCCS is not permitted to utilize this information to verify the eligibility of enrolled KidsCare members.

### **What is the fiscal impact of this legislation?**

AHCCCS anticipates that this legislation will result in a cost savings to the State of Arizona. AHCCCS eligibility workers will be able to identify ineligible members earlier, thus saving resources that otherwise cannot be recouped. This legislation empowers the Agency to achieve greater efficiency and better target resources to those members who are eligible to receive services.

## **SB1223 insurance; long-term care**

### **Background**

In determining eligibility for the Arizona Long-Term Care System (ALTCS), a persons' income is considered, together with the net worth of his/her assets. Should an individual meet these conditions, together with additional eligibility requirements, they may enroll in the AHCCCS ALTCS program to receive coverage for long-term care services. Similar coverage is also available in the private sector through private long-term care policies. The purpose of SB1223 as amended is to lay the groundwork in statute for the state to enter into Long-Term Care Partnership Programs that are designed to encourage people to plan ahead and seek private coverage rather than relying on the Medicaid system to meet their long-term care needs.

### **What are Long-Term Care Partnership Programs?**

Under the Long-Term Care Partnership Program, individuals will have the option to purchase a long-term care insurance policy in the private market, and, in the event that the individual reaches the benefit cap in the private policy and wishes to apply for ALTCS, the amount of the private benefit paid to the individual will be disregarded during the asset eligibility determination. For example, if an individual has reached the \$100,000 benefit cap on a private long-term care insurance policy, \$100,000 of that person's assets will be disregarded when he/she is applying for ALTCS.

### **How were partnership programs established?**

Under the terms of the Deficit Reduction Act (DRA) of 2005, states are empowered to partner with the private sector to establish long-term care partnership programs, provided that states pass laws that meet the federal requirements for program administration. Provisions in Arizona statutes related to long-term care insurance already meet most of these requirements. However, to be fully compliant, Arizona must enact training requirements for private producers and ensure long-term care insurance statutes meet the DRA requirements. These requirements are outlined in SB1223.

### **What are the benefits associated with this legislation?**

By enacting SB1223, Arizona will be compliant with the federal requirements and will be able to partner with the private insurance industry to encourage consumers to plan for their future health care needs by purchasing long-term care insurance in the private market. This could delay and possibly prevent an individual from applying for ALTCS and presents consumers with an additional option for obtaining quality long-term care in the private and public market.

### **Will this legislation result in a cost-savings to the State?**

It is too soon to determine how many individuals will take advantage of the partnership program. In addition, it is difficult to determine how many individuals will reach the benefit cap in their private policy and seek subsequent coverage in the ALTCS program. However, it may be hypothesized that a savings would be achieved as more individuals seek coverage in the private market, thus delaying or preventing their eligibility and enrollment in ALTCS services.

## **SB1329 Self-Directed Attendant Care**

### **Background**

Currently ALTCS elderly and / or physically disabled (EPD) members who reside in their own home receive in-home services (e.g., attendant care, personal care, homemaker and skilled nursing) through provider agencies. A significant amount of the in-home services that members receive are considered unskilled / paraprofessional services. Some ALTCS EPD members do require **skilled care** from RNs and LPNs who are employed by Medicare or State-licensed only Home Health Agencies. ALTCS members can receive in-home services that are up to, but no more costly than institutional (nursing facility) care.

### **What is self-directed attendant care?**

Self-directed attendant care is a service option that will allow ALTCS EPD members to hire their own attendant care worker and to direct the caregiver to provide for their specific needs **including skilled care** needs (e.g., bowel care, chronic wound care, gastrostomy tube feedings). The attendant care worker under self-directed attendant care is considered to be legally employed by the ALTCS member.

### **Who would be permitted to participate in self-directed care?**

ALTCS members receiving home and community-based services and selecting self-directed attendant care would have the option to direct their attendant care worker to provide skilled care. These members must be determined to be medically stable and competent to direct their own care (i.e. no diagnoses of dementia or moderate to severe cognitive disability) or be residing with an individual who is capable of directing care on the individual's behalf.

An ALTCS member's attendant care worker(s) shall be trained to provide specific skilled services by a RN via a home health agency. Similar activities currently take place when nurses train consumers and their family to perform specific skilled services in the home. The caregiver is restricted to providing the skilled tasks to the member who has requested the training of their caregiver. The process has to be repeated if the caregiver is to provide the same skilled tasks to another consumer.

### **What services would be included in self-directed care?**

AHCCCS is working with the Board of Nursing and stakeholders to determine what self-directed skilled care services will/will not be permitted under the auspices of this legislation. For example, caregivers **MAY BE AUTHORIZED** to perform bowel care or chronic wound care under the direction of a competent ALTCS member. Caregivers **WILL NOT BE PERMITTED** to provide more complex skilled care services such as administering intravenous medications or performing deep tracheal suctioning.

### **How much compensation will attendant caretakers receive?**

Wages for attendant caregivers will be similar to what attendant care workers receive if employed by a provider agency.

### **What are the benefits associated with self-directed care?**

1. ALTCS members will be empowered to determine who will provide their care, including skilled care.
2. ALTCS members will be able to limit the number of "outside" caregivers who come to their home.
3. Higher acuity members may be able to receive more attendant care services to better meet their needs because the more expensive nursing services from a home health agency may no longer be needed.
4. Allows additional flexibility to RNs and LPNs to provide skilled care to more vulnerable ALTCS members who cannot or choose not to participate in the self-directed attendant care program.
5. This option will not increase costs and in some cases will produce cost savings.



## **2008 AHCCCS Budget Provisions**

### **Programmatic Changes**

- Eliminates ALTCS Dental
- Continues non-ALTCS hospice
- Places KidsCare Parents into permanent law at the current eligibility level
- Establishes a six-month redetermination period for TWGs
- Suspends SSDI-TMC during FY 2008-2009
- Freezes reimbursement rates to hospitals at September 30, 2008 levels between October 1, 2008 and September 30, 2009

### **Reporting Requirements**

- Requires AHCCCS to report to JLBC on FFS program or rate changes pertaining to hospital, nursing facility or home and community-based service rate categories that have increases 2% or \$1500 above budgeted medical inflation
- Requires AHCCCS to report estimated capitation rate changes for the following fiscal year by March 1, 2009
- Requires each agency to report to JLBC on the number of filled, appropriated FTE positions by fund source by September 1, 2008
- Requires each agency to report the results of stipulated performance measures as part of its budget request

### **HCG Changes & Reporting Requirements**

- Allows HCG to establish a PPO only in counties with less than 500,000 persons
- Eliminates eligibility for groups of one (grandfathers currently enrolled groups of one)
- Shortens the bare period to 90 days
- Prohibits HCG from reimbursing non-contracted hospitals for non-emergency services
- Establishes the reimbursement rate for emergency services performed in a non-contracted hospital as follows:
  - Counties with 500,000 or more persons: 114% AHCCCS default rates
  - Counties with less than 500,000 persons: 125% AHCCCS default rates
- Requires non-contracted hospitals to notify HCG when a patient is stabilized
- Eliminates the prohibition against the consideration of health-related factors when establishing premium levels
- Requires HCG to adjust premiums in accordance with an analysis performed by an independent actuary
- Requires HCG to consider age, sex, health-related factors, group size, geographic area and community-rating when establishing rates
- Prohibits a plan from providing services that are not part of the contract
- Requires HCG to establish utilization control standards for contractors that meet national standards for utilization management control
- Prohibits HCG from enrolling more than 5% of the number of employer groups enrolled during the prior fiscal year
- Requires HCG to give priority to uninsured groups
- Requires HCG to report the following to JLBC:
  - Quarterly financial reports
  - Annual fiscal audit
  - Actuarial analysis used to adjust rates

## **Attachment C:**

Proposed Employer Sponsored Insurance Program

# ***Arizona's Proposed Employer Sponsored Insurance Program***

## **Overview**

As required under Special Term and Condition (STC) 38(b), the Arizona Health Care Cost Containment System (AHCCCS) submits the following Employer Sponsored Insurance (ESI) program proposal. Under the program, AHCCCS will provide premium subsidies to Title XXI eligible state plan members for the purchase of employer sponsored health insurance.

The basic parameters of the ESI program are:

- The program will be implemented statewide;
- The program will be optional for eligible Title XXI children of employees who have access to employer sponsored coverage;
- No additional benefits (e.g., wraparound coverage) will be provided;
- ESI members are responsible for cost sharing above the subsidy (e.g., deductibles, co-payments), if required by their employer sponsored plan, and may also be required to pay a portion of their monthly premium.<sup>1</sup> Out-of-pocket expenses will not be capped;
- Families will be paid up to \$100 per member per month directly via electronic payment, not to exceed the actual costs required, and employers will validate the deduction on a quarterly basis.

## **General Program Design**

### **Eligible Population**

The population eligible for the ESI program will be Title XXI eligible children of employees who work for qualifying employers with a family income between 100% FPL through 200% FPL who have access to qualified employer sponsored insurance coverage.

### **Qualified Employer Sponsored Coverage**

Qualified employer sponsored insurance will include coverage provided through any commercial group package offered by the employer. The commercial group coverage must include a basic primary care package (e.g., health care services customarily furnished by and through a general practitioner, family physician, pediatrician) offering at least the following services:

- Inpatient hospital services;

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<sup>1</sup> Under current regulations, Native Americans are exempt from cost sharing requirements under KidsCare. However, Native Americans will be subject to cost sharing obligations imposed by their ESI plan if they elect to participate in this program.

- Outpatient services;
- Physician's surgical and medical services;
- Laboratory and X-ray services;
- Pharmacy services;
- Well baby/well child visits and immunizations; and
- Behavioral health services.

(Note: Dental and vision services and non-emergency transportation coverage would not be a mandatory service.)

All eligible employers must meet the following requirements:

- The employer must contribute at least 30% of the total premium for the family unit; and
- The employer must confirm the eligible member's enrollment on a quarterly basis.

### **Enrollment Requirements**

Enrollment for ESI will be:

- Optional for members who meet the ESI eligibility requirements;
- Completed after approval of KidsCare eligibility. To be KidsCare eligible, applicants must meet a three-month bare period. Once KidsCare eligibility is approved, AHCCCS will discuss the ESI option with the member's family. If the member's family expresses an interest in participating in ESI, information will be collected by the member's family about available employer sponsored coverage to ensure it meets the requirements described above; and
- Conducted annually to coincide with the employer's open enrollment period.

Once enrolled, a member shall remain in the ESI program until the employer's next open enrollment period, unless:

- AHCCCS does not receive quarterly verification of employer coverage for the person; or
- AHCCCS receives documentation that the employer coverage no longer exists or is no longer available; or
- The member is eligible and elects coverage under Medicaid or KidsCare. If so, AHCCCS will not reimburse the member's portion of the premium for commercial insurance for any month AHCCCS has made a capitation payment for the member enrolled in an AHCCCS plan. Additionally, the member assumes responsibility for any commercial insurance requirements.

**Premium Subsidy Payments**

The State will pay the eligible member's family directly, via electronic payments, a monthly amount of \$100 per member per month for the subsidized portion of the premium cost. Subsidies will not exceed the actual cost of the family unit's premium. As such, parents can incidentally be covered if the per child subsidy is adequate to cover the entire family. For example:

A parent enrolled in their employer's insurance has 3 eligible kids. The member's share of cost to cover the entire family is \$250. AHCCCS will pay the parent \$250 rather than the \$300 since the cost per member per month would exceed the cost of covering the entire family.

**Enrollment Projections/Limitations**

Enrollment projections for the program are preliminary. The State estimates that if the program is approved and implemented in FY 2009, enrollment could approach 1,000 by September 30, 2011. These are preliminary estimates and certainly could be impacted by the final scope of the overall program. AHCCCS may cap enrollment in the ESI program based on availability of funding.

**Program Evaluation/ Accountability and Monitoring**

There will be an evaluation component included in the final evaluation at the end of the Demonstration, currently scheduled for September 30, 2011. The evaluation will include information on the private insurance market as it relates to the ESI program (e.g., changes in employer contribution levels, trends in sources of insurance, etc.).

**Allotment Neutrality**

The cost of the program is included in the attached State's overall allotment neutrality estimates.

**Program Costs**

As depicted in the table below, the AHCCCS program is estimating the total fund costs of the ESI program to be \$1.86 million through 2011. This is based on a population that would grow at 28 new members per month over the course of the remaining waiver renewal term. Current estimates indicate that as many as 153,000 individuals in the State may be eligible for the program. That estimate includes 89,000 KidsCare eligible children that currently are not enrolled and approximately 64,000 children currently enrolled in KidsCare. This estimate does not, however, account for whether these children have access to employer sponsored insurance. The estimated costs associated with this waiver proposal fit within the estimated allotment neutrality limits that are established for the baseline program.

	FFY 09	FFY 10	FFY 11	Totals
Enrollment (9-30)	336	672	1,000	
Annual Cost	218.4	621.6	1,020.4	1,860.4
General Fund	52.3	148.9	244.5	445.7

Federal Fund	166.1	472.7	775.9	1,414.7
FMAP Used	76.04%	76.04%	76.04%	
Monthly PMPM	\$ 100.00	\$ 100.00	\$ 100.00	
PMPM of \$100.00				

**Attachment D:**

Current IHS/AHCCCS Referral Policy



## **GENERAL INFORMATION**

Many non-emergent services require prior authorization from the AHCCCS Administration, either from the Prior Authorization Unit for acute care services or from the recipient's case manager for ALTCS services.

Determination for prior authorization (PA) for acute services is based upon:

- ☒ The recipient's eligibility status at the time of the PA request,
- ☒ The provider's status as an AHCCCS-registered fee-for-service provider, and
- ☒ The service's status as an AHCCCS-covered service that requires PA.

PA for specific services from the AHCCCS PA Unit or the ALTCS case manager is required for all fee-for-service recipients, including fee-for-service Indian Health Service recipients, unless:

- ☒ The recipient has Medicare, third party liability (TPL), or commercial insurance coverage *and* the services are covered by Medicare, TPL, or commercial insurance, or
- ☒ Services were provided prior to posting of recipient retroactive eligibility, or
- ☒ Services are provided by an IHS facility, or
- ☒ The service is an emergency.

Issuance of an authorization does not guarantee payment. The medical condition for which the authorization was issued must be supported by medical documentation, and the claim must be otherwise clean and timely submitted.

## **PRIOR AUTHORIZATION PROCEDURES**

Providers may phone or fax the AHCCCS PA Unit to request authorization. To obtain PA by telephone, providers must call between 8:30 a.m. and 4:30 p.m. Monday – Friday:

(602) 417-4400 (Phoenix area) Providers in area codes 602, 480, and 623 **must** use this number.

1-800-433-0425 (within Arizona) This number is blocked for callers in area codes 602, 480, and 623.

1-800-523-0231 (outside Arizona)

The AHCCCS PA Unit's fax number is (602) 256-6591.

The fax number for *transportation providers only* is (602) 417-4687.





## **PRIOR AUTHORIZATION PROCEDURES (CONT.)**

Providers who fax documentation to the AHCCCS PA Unit should ensure that a cover sheet accompanies the documentation. The cover sheet should list the provider's name and AHCCCS provider ID number, the name of a contact person, a telephone number, and a fax number. Without such information, authorization may not be established, and claims for services may be denied.

Whether requesting information by telephone or fax, providers should be prepared to supply the following information:

- ☒ Requester's name
- ☒ Provider's name and AHCCCS ID number
- ☒ Recipient's name and AHCCCS ID number
- ☒ Type of service and service date(s)
- ☒ ICD-9 CM diagnosis code
- ☒ CPT/HCPCS/ADA procedure code (if applicable)
- ☒ Tier level (if applicable)
- ☒ Estimated charges/professional services (if there is no AHCCCS fee schedule)
- ☒ Medical justification for services

An AHCCCS PA nurse will either issue an approval, a denial, or a provisional PA number pending the receipt of required documentation to substantiate compliance with AHCCCS criteria.

AHCCCS generates a PA confirmation letter with appropriate approval, denial, or provisional information (See Exhibit 8-1). The letter is mailed to the provider by the next working day. When a PA is denied, AHCCCS also generates a denial letter that is sent to the recipient within three working days of the request.

## **CLAIM SUBMISSION DIRECTIONS**

It is not necessary for the provider to enter the PA number on the claim form. If a valid PA exists for the service, the AHCCCS claims system will automatically match the claim information against established PAs and choose the correct one.

The information entered on the claim form must match what has been prior authorized and listed on the PA confirmation letter. If there are any discrepancies, the system will not find the appropriate PA, and claim will be denied. Providers may call the PA Unit prior to submitting a claim to correct any discrepancies.



## **PRIOR AUTHORIZATION OF ACUTE SERVICES**

The following list identifies acute services requiring prior authorization. ALTCS authorization requirements are discussed in Chapter 21, ALTCS Services.

- ☒ Abortions
- ☒ Ambulatory surgery centers
- ☒ Apnea management and training
- ☒ Behavioral health services
- ☒ Dental services
- ☒ Dialysis
- ☒ DME and supplies
- ☒ Home health services
- ☒ Hospital admissions
- ☒ Hysterectomy services
- ☒ Inpatient services
- ☒ Non-emergency transportation
- ☒ Nursing facilities
- ☒ Observation services
- ☒ Pharmacy
- ☒ Podiatry
- ☒ Rehabilitative services
- ☒ Surgeons
- ☒ Total parenteral nutrition (TPN)



## **AUTHORIZATION REQUIREMENTS FOR SPECIFIC SERVICES**

### ☒ **Abortions**

- ✓ All medically necessary abortions require PA except in cases of medical emergency.
  - ☒ In the event of a medical emergency, all documentation of medical necessity must accompany the claim when submitted for reimbursement.
- ✓ The request for PA must be accompanied by a completed Certificate of Medical Necessity for Pregnancy Termination (See *AMPM*, Exhibit 410-1).
- ✓ The AHCCCS PA Unit will review the request and the certification and shall authorize the procedure if medically necessary.

### ☒ **Ambulatory surgery centers**

- ✓ Ambulatory surgical facilities furnishing non-emergency surgical services must obtain a PA number for scheduled ambulatory surgery except voluntary sterilization procedures.
- ✓ The PA number is separate from the surgeon's PA number.

### ☒ **Apnea management and training**

- ✓ Apnea management, training, and use of the apnea monitor must be billed using procedure code E0608 and the RR modifier and must be prior authorized.
- ✓ PA requests must include the charge for the service, including the charges for management, training, and use of the apnea monitor.

### ☒ **Behavioral health services**

- ✓ For non-Medicare recipients enrolled with a Tribal ALTCS program contractor, notification of an admission into an acute hospital or an acute care psychiatric hospital must be made to the AHCCCS Prior Authorization Unit.
- ✓ For all other behavior health services, see Chapter 19, Behavioral Health Services.

### ☒ **Dental services**

- ✓ PA is not required for emergency dental services for all recipients nor for preventive/therapeutic dental services for EPSDT recipients.
- ✓ Medically necessary dental surgery services for EPSDT recipients require PA.
- ✓ Medically necessary dentures
  - ☒ Provision or replacement, repairs or adjustment of dentures, and provision of obturators and other prosthetic appliances for restoration or rehabilitation, provided to adults require PA.



## **AUTHORIZATION REQUIREMENTS FOR SPECIFIC SERVICES (CONT.)**

☒ **Dental services (Cont.)**

- ✓ Pre-transplant dental services that are medically necessary in order for the recipient to receive the major organ or tissue transplant require prior authorization from the AHCCCS transplant case manager.

☒ **Dialysis**

- ✓ PA is not required for monthly dialysis supervision or services.

☒ **DME and supplies**

- ✓ DME and prosthetic/orthotic devices when the value for the item exceeds \$200 require PA.
- ✓ Consumable medical supplies (supplies which have limited potential for re-use) require PA when the cost exceeds \$50 per month.

☒ **Home health services**

- ✓ All home health services for acute care recipients require PA.
- ✓ All home health services for ALTCS recipients require case manager authorization.

☒ **Hospital admissions**

- ✓ Prior authorization is required prior to all non-emergency and elective admissions.
- ✓ Notification to the PA Unit must be provided no later than the fourth day of an emergency hospitalization or second day of an ICU stay.
  - ☒ If the required notification day falls on a weekend or state holiday, notification must be provided no later than the next working day.
  - ☒ If approved, the PA nurse will authorize the length of stay.
  - ☒ Authorization will also cover the first three days of the emergency admission or the first 24 hours of the ICU admission if medically appropriate.
  - ☒ Continued authorization/approval of services is determined through concurrent review.
  - ☒ Providers should not split bill these claims.



## **AUTHORIZATION REQUIREMENTS FOR SPECIFIC SERVICES (CONT.)**

### ☒ Hospital admissions (Cont.)

- ✓ When a recipient's eligibility is posted after the beginning date of service and prior to the end date of service on the claim:
  - ☒ Notification must be provided no later than the fourth day after the eligibility posting date of an emergency hospitalization or the second day after the eligibility posting date of an ICU stay.
  - ☒ If the required notification day falls on a weekend or state holiday, notification must be provided no later than the next working day.
  - ☒ This policy does not apply if any eligibility is posted at the time services are rendered and there is a subsequent posting of retroactive eligibility.
  - ☒ If notification is not provided as required, AHCCCS may deny any portion of the stay dependent on medical review.

### ☒ Hysterectomy services

- ✓ Non-emergency hysterectomy services require PA.
- ✓ In a life-threatening emergency, PA is not required, but the physician must certify in writing that an emergency existed.

### ☒ Inpatient services

- ✓ Prior authorization is required for:
  - ☒ Podiatry services when ordered by the primary care physician.
  - ☒ Detoxification services (only levels 3 and 4 are covered).
  - ☒ All organ and tissue transplantation services.

### ☒ Non-emergency transportation

- ✓ Non-emergency transportation provided by ground ambulance, air ambulance, and non-ambulance vehicles require PA.
- ✓ Only codes for the base rate, mileage, and waiting time will be prior authorized.
- ✓ See Chapter 14, Transportation Services



## **AUTHORIZATION REQUIREMENTS FOR SPECIFIC SERVICES (CONT.)**

### ☒ **Nursing facilities**

- ✓ PA must be obtained before admission of an acute care recipient unless the recipient becomes retroactively eligible for AHCCCS.
  - ☒ No PA is required during the retro period, but the stay is subject to medical review.
- ✓ Initial authorization will not exceed the recipient's anticipated fee-for-service enrollment period or a medically necessary length of stay; whichever is shorter.
- ✓ Reauthorization for continued stay is subject to concurrent utilization review by AHCCCS or its designee.
- ✓ AHCCCS will allow up to 90 days of nursing facility care in a contract year (10/01 – 09/30).
- ✓ Physical, occupational, and speech therapy must be prior authorized for acute care recipients in nursing facilities.
- ✓ As a part of discharge planning, prior authorization staff must request hospital personnel to initiate an ALTCS application for potentially eligible recipients.

### ☒ **Observation services**

- ✓ Extensions to the 24-hour limit for observations services must be prior authorized.

### ☒ **Pharmacy**

- ✓ See Chapter 12, Pharmacy Services for PA information.

### ☒ **Podiatry services**

- ✓ Podiatrists must obtain prior authorization before providing podiatry services including inpatient podiatry services ordered by the primary care provider.

### ☒ **Rehabilitative services**

- ✓ All outpatient physical therapy services (speech therapy and occupational therapy are not covered for non-ALTCS recipients over age 21) require PA unless:
  - ☒ Services are for EPSDT recipients, or
  - ☒ Therapy is a result of an emergency outpatient visit



## **AUTHORIZATION REQUIREMENTS FOR SPECIFIC SERVICES (CONT.)**

☒ Rehabilitative services (Cont.)

Example:

A recipient breaks a leg and is placed in a hip to toe cast.

If the recipient has never used crutches before, the hospital may send the recipient to therapy for a brief period of time to learn how to walk on crutches. This would be billed on the outpatient claim and would not require PA. However, if the recipient were instructed to return to the hospital for future therapy, this would require PA.

Similarly, physical therapy rendered in a physician's office as part of an emergency treatment does not require prior authorization. However, if the recipient were instructed to return for future therapy, this would require PA.

☒ Surgeons

✓ Surgeons must obtain a separate and distinct PA from that of the hospital for:

- ☒ Elective or non-emergency inpatient or ambulatory surgery, except sterilization
- ☒ Both the primary surgical procedure and any surgical procedure designated in the *CPT Manual* as a separate procedure
- ☒ Surgeries scheduled more than 72 hours after initial emergency admission of a continuous hospitalization
- ☒ Scheduled cesarean deliveries
- ☒ Organ transplantation not covered by Medicare

✓ Assistant surgeons and anesthesiologists do not require separate PAs.

☒ Total parenteral nutrition (TPN)

- ✓ Facilities and agencies furnishing outpatient TPN services must obtain PA at least one working day prior to initiation of services.
- ✓ Telephone requests are given provisional PA.



## **AUTHORIZATION REQUIREMENTS FOR SPECIFIC SERVICES (CONT.)**

- ☒ Total parenteral nutrition (Cont.)
  - ✓ The following documentation must be received by the AHCCCS PA Unit within five working days of the initial TPN authorization request:
    - ☒ History and physical which describe recipient's condition and diagnosis
    - ☒ Physician's orders
    - ☒ Dietary assessment, including recipient's weight
    - ☒ Any pertinent progress notes (nursing/physician) which reflect the recipient's dietary, eating, and functional status
    - ☒ Physician progress notes indicating expected outcome of treatment
    - ☒ Nursing home records showing percentage of recipient's meal consumption

## **IHS REFERRALS**

AHCCCS recipients who are enrolled with Indian Health Service (IHS) or 638 tribal providers may receive services from AHCCCS fee-for-service providers if the services are not available through IHS or the tribal facility and if referred by an IHS/638 tribal provider. All referrals must be initiated and approved by IHS or the tribal facility. Referrals must be for medically necessary services not provided by IHS or the 638 tribal provider.

Non-IHS/638 tribal providers must obtain an IHS/638 tribal referral and authorization from the AHCCCS PA Unit before they can provide certain medically necessary services to IHS/tribal recipients. An IHS/638 referral is required for **all** of the following services. In addition prior authorization must also be obtained from the AHCCCS PA unit unless otherwise noted.

- ☒ Elective (including urgent) inpatient hospital admissions
- ☒ Elective (including urgent) surgeries
  - ✓ The surgeon and the facility must obtain separate authorizations.
- ☒ Nursing home placement
- ☒ Non-emergent medically necessary transportation
  - ✓ Referrals for non-emergency transport are submitted to the AHCCCS PA Unit when requesting authorization and do not need to be submitted with the claim.





## **IHS REFERRALS (CONT.)**

IHS referral and PA requirements (Cont.)

- ☒ Durable medical equipment/medical supplies (See special instructions in this chapter)
- ☒ Non-emergent dental services
  - ✓ Covered for EPSDT recipients only
  - ✓ PA is not required, but the IHS referral must accompany the claim
- ☒ Eyeglasses
  - ✓ Covered for EPSDT recipients only
  - ✓ PA is not required, but the IHS referral must accompany the claim

Prior to or at the time services are rendered, the IHS/tribal provider must supply the AHCCCS non-IHS/tribal provider with completed referral form containing:

- ☒ Recipient's name and AHCCCS ID number
- ☒ Name and address of referring provider and AHCCCS provider to whom recipient is being referred
- ☒ Date referred and explanation for referral, including diagnosis and reason for referral

Claims may be reviewed for medical necessity and compliance with AHCCCS rules, policies, and procedures. The submitted claim must be accompanied by the IHS referral unless noted.

## **Attachment 3**

AHCCCS Tribal Consultation Policy  
(Revised 2008)

# 113 - Tribal Consultation Policy

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## INTRODUCTION

The mission of the Arizona Health Care Cost Containment System (AHCCCS) is to provide comprehensive, quality health care to those in need. AHCCCS and Indian Tribes in the State of Arizona (hereinafter referred to as “Indian Tribes”) share the common goal of decreasing health disparities and maximizing access to critical health services. In order to achieve this goal, it is essential that the AHCCCS Administration and Indian Tribes engage in open, continuous, and meaningful consultation. True consultation consists of ongoing information exchange and mutual understanding which leads to informed decision-making.

## BACKGROUND

A unique government-to-government relationship exists between Indian Tribes and Federal and State Governments. Since the formation of the Union, the United States has recognized Tribal Governments as sovereign nations. Treaties and laws, together with court decisions, have defined a relationship between Indian Tribes and the Federal Government that is unlike that between the Federal Government and any other group of Americans. The Federal Government has enacted numerous regulations that establish and define a trust relationship with Indian Tribes (see Authority). As a state agency responsible for administering a federal program, the AHCCCS Administration recognizes that these regulations play a significant role in the AHCCCS Tribal Consultation Policy.

## **POLICY**

The guiding principle of this Policy is to ensure that, pursuant to the special relationship between the Indian Tribes and Federal and State Governments, reasonable notice and opportunity for consultation with Indian Tribes are provided by the AHCCCS Administration regarding high-level policy changes that significantly impact Indian Tribes. High-level policy changes that significantly impact Indian Tribes refer to actions that have substantial Tribal implications with direct effects on one or more Indian Tribes, on the relationship between the State of Arizona and Indian Tribes, or on the distribution of power and responsibilities between the State of Arizona and Indian Tribes.

## **PHILOSOPHY**

AHCCCS is the health care insurance provider for a considerable percentage of Arizona's American Indian population. The involvement of Indian Tribes in the development of AHCCCS policy allows for locally relevant and culturally appropriate approaches to important issues. Therefore, the AHCCCS Administration is committed to working with Indian Tribes to improve the quality, availability, and accessibility to care for American Indians in Arizona.

## **OBJECTIVES**

In order to fully effectuate this Policy, the AHCCCS Administration will:

- Establish communication channels with the elected leader of each Indian Tribe and the appointed leadership for health services for each Indian Tribe. The AHCCCS Administration recognizes that a standing goal of working with Indian Tribes is to increase their knowledge and understanding of AHCCCS programs and policies.
- Seek timely consultation with Indian Tribes to discuss potential changes to high-level policy that would have a significant impact on Indian Tribes.
- Allow for consultation with Indian Tribes in the development of new policy with substantial Tribal implications, including State Plan Amendments and Waiver proposals.
- Coordinate within the Agency to ensure consistent application of the Tribal Consultation Policy.

## **PRINCIPLES**

Trust among the AHCCCS Administration and Indian Tribes is an indispensable element in establishing a good consultative relationship. To establish and maintain trust, consultation must occur on an ongoing basis. The AHCCCS Administration, guided by the Tribal Relations Liaison, shall use the process in as described in this Policy under "Consultation Process" to determine the nature and extent of consultation that should occur to ensure that the intent of this Policy is satisfied.

Consultation occurs whenever the AHCCCS Director and Tribal Official(s) and/or their designees, engage in oral or written communication to discuss an issue. Consultation with a single Indian Tribe will not substitute for consultation with other Tribes on issues that may affect more than one Tribe.

AHCCCS staff persons who have a role in the development or implementation of policy substantially affecting Indian Tribes shall understand the purpose of the Policy, its expectations, and its anticipated outcomes.

## **CONSULTATION PROCESS**

AHCCCS engages in consultation with Indian Tribes about policy issues at a variety of levels and through a variety of methods to facilitate Tribal consultation on policies that directly affect Indian Tribes.

### **Direct Consultation by the AHCCCS Administration**

#### **I. New or Revised Policy**

- A. When it appears that a new or revised AHCCCS policy may be needed, the AHCCCS Administration shall consider whether it is a high-level policy change that is likely to have a significant impact on Indian Tribes.
- B. If a high-level policy is identified that is likely to have a significant impact on Indian Tribes, the AHCCCS Administration shall provide timely written notice to Indian Tribes soliciting feedback and recommendations regarding the issue. Such solicitations shall be directed to Tribal Official, and/or their designee, explaining the background, describing the proposed action, and requesting a response within a given timeframe.
- C. If a Tribal Official and/or their designee, requests additional information or provides feedback regarding an issue, the AHCCCS Administration shall communicate, verbally or through written correspondence, with the official and/or their designee, to provide a timely and substantive response.
- D. Face-to-face, telephonic or web-based consultation sessions may be scheduled. Such sessions may be scheduled as a single statewide meeting, or in conjunction with other statewide meetings.
- E. The AHCCCS Administration may also provide written notice and a solicitation for feedback to organizations such as the Advisory Council on Indian Health Care, the Inter Tribal Council of Arizona, and the Indian Health Service Area Offices in Arizona. Such communications do not substitute for direct communication with the Indian Tribes.

#### **II. Ongoing Consultation**

- A. The AHCCCS Administration will participate in HHS regional consultations, and, as requested, in consultation meetings sponsored by HHS agencies, the Indian Health Service or Indian Tribes.
- B. The AHCCCS Administration will provide an opportunity for submission of written comments during any period of ongoing consultation.
- C. The AHCCCS Administration will continue to meet regularly with Indian Tribes. Such meetings may occur in person, telephonically or using web-based technology. To the extent issues of general application are discussed in such meetings, the Tribal Relations Liaison or other designated AHCCCS staff will provide follow-up, as appropriate.

## **JOINT TRIBAL/STATE WORKGROUPS**

Joint Tribal/Federal Workgroups and Task Forces: The AHCCCS Administration may establish or participate in workgroups, task forces, or other groups or committees with Indian Tribes and others to address issues affecting Indian Tribes.

## **LIMITATIONS**

Interaction with the Advisory Council on Indian Health Care, other workgroups, task forces or committees will not take the place of Tribal consultation. This interaction is intended to enhance the consultation process by gathering individuals with extensive knowledge of particular policy, practice, issues, or concerns to work collaboratively and offer recommendations for consideration by the AHCCCS Administration.

## **SUMMARY**

The AHCCCS Administration views Tribal consultation as a dynamic process. Joint effort between the Indian Tribes, the AHCCCS Director, the Tribal Relations Liaison, and AHCCCS divisions will promote the objectives of the Tribal Consultation Policy. Together, they will further consistent implementation of the Policy and work to ensure that the Policy plays a meaningful role in addressing issues affecting Indian Tribes.

## **AUTHORITY**

The special relationship between the Federal Government and Indian Tribes is affirmed in statutes and various Presidential Executive Orders including, but not limited to:

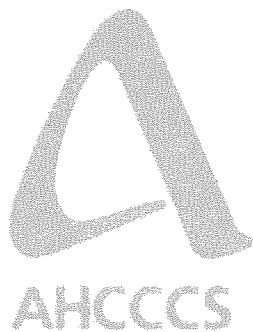
- The Snyder Act, P.L. 67-85
- Older Americans Act of 1965, P.L. 89-73 as amended
- Indian Self-Determination and Education Assistance Act, P.L. 93-638, as amended
- Native American Programs Act of 1974, P.L. 93-638, as amended
- Indian Health Care Improvement Act, P.L. 93-644, as amended
- Social Security Act, Titles XIX, XX, and XXI
- Unfunded Mandates Reform Act of 1995, P.L. 104-4
- Personal Responsibility and Work Opportunity Reconciliation Act of 1996, P.L. 104-193
- Presidential Executive Memorandum to the Heads of Executive Departments dated April 29, 1994
- Presidential Executive Order 13084, Consultation and Coordination with Indian Tribal Governments, May 14, 1998
- Presidential Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, November 6, 2000
- Presidential Memorandum, Government-to-Government Relationship with Tribal Governments, September 23, 2004

The Office of Intergovernmental Relations is responsible for this policy.

Effective Date: 08/12/2008

## **Attachment 4**

Sample of AHCCCS Member Identification Card  
Bearing "American Indian Health Program"



ARIZONA HEALTH CARE  
COST CONTAINMENT SYSTEM

\*\*\*\*\*  
*Medical  
Identification Card*

**AHCCCS ID #:**

**A**

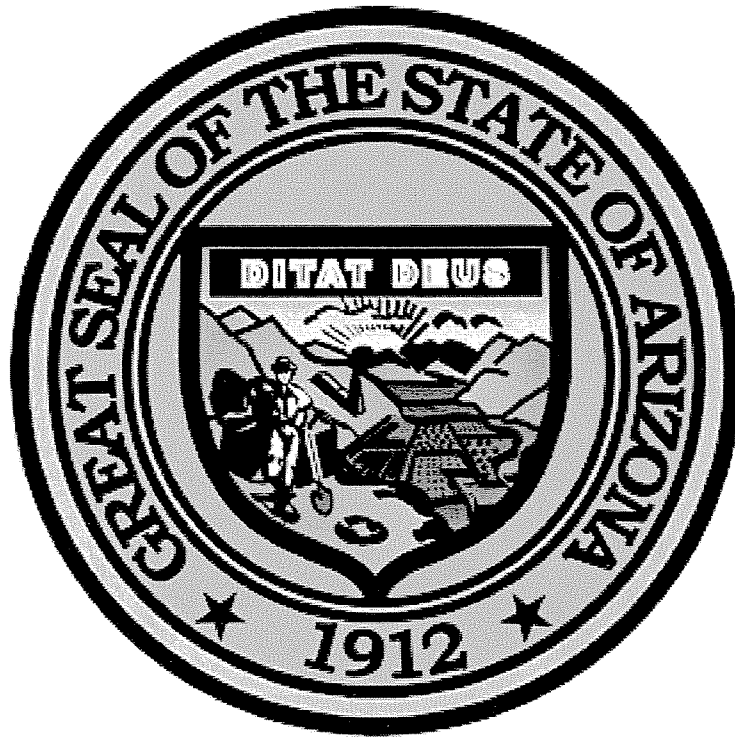
**Member Name:**

**Health Plan Name:** AHCCCS AMERICAN INDIAN HP

**Telephone #:** 1-800-962-6690

**For Behavioral Health - Substance Abuse Services:** 1-800-771-9889





**Governor's Office of Children,  
Youth and Families**

**December 10, 2008**

**DIRECTOR**  
Irene Jacobs

**TRIBAL LIAISON**  
Carissa Dwyer  
Assistant Director, Juvenile  
Justice Specialist

**Governor's Office for Children, Youth and Families**  
**Tribal Update**  
**December 10, 2008**

**Current Grant Funding**

- Division for Substance Abuse Policy
  - Strategic Prevention Framework State Incentive Grant (SPF SIG): the grant is designed to move states into a data-driven process that guides all substance abuse prevention services in the state. The expectation is to improve the capacity of the state systems and local communities to more effectively impact the consumption of substances and the associated consequences. Tribes currently funded through this grant include:
    - Gila River Indian Community (Cohort 1)
    - Phoenix Indian Center (Cohort 2)
    - Navajo Nation (Cohort 2)
    - San Carlos Apache Tribe (Cohort 2)
    - Hopi Tribe (Cohort 3)
    - Pascua Yaqui Tribe (Cohort 3)
    - Hualapai Tribe (Cohort 3)
    - Ak-Chin Indian Community (Cohort 3)
    - Fort McDowell Yavapai Nation (Cohort 3)
    - Inter Tribal Council of Arizona
  - Methamphetamine Initiative: in response to this growing problem the Governor's Office has implemented the following initiative in response to Arizona's meth problem.
    - Phase I funding was awarded to one coalition in each county with the exception of Maricopa County, who has two and to six tribal organizations (Navajo Nation, Tohono O'odham Nation, White Mountain Apache Tribe, Hopi Tribe, San Carlos Apache Tribe and Colorado River Indian Tribes). Where there are multiple existing coalitions within a county, these coalitions were strongly encouraged to work together capitalizing on the resources of partner agencies. Phase I funding was used to support the development of coalitions (existing or new), to organize their coalition and to develop a community needs assessment. State-funded technical assistance was provided to each coalition to assist in coalition building activities, conducting a needs assessment and data analysis.
    - Phase II funding was provided to support implementation of community based environmental prevention strategies. Coalitions who received Phase I grants and attended the Methamphetamine Action Conference were eligible to compete for Phase II grants.

- Phase III funding is now being awarded to those coalitions interested in continuing the implementation of their environment prevention strategies. The following tribes are funded for Phase III:
      - San Carlos Apache Tribe (App. sent out Due 12/22/08)
      - Navajo Nation (App. sent out Due 12/22/08)
  - Parents Commission: The Parents Commission is established through executive order to allocate alcohol tax dollars to support substance abuse prevention efforts throughout the state. They currently fund the following tribe to implement the Protecting You/Protecting Me program:
    - Hopi Tribe
- Division for Women
  - STOP (Stop Violence Against Women): this grant promotes a coordinated, multidisciplinary approach to improving the criminal justice system's response to violent crimes against women. The STOP Program encourages the development and strengthening of effective law enforcement and prosecution strategies to address violent crimes against women and the development and strengthening of victim services in cases involving violent crimes against women. Currently the following safe houses are funded within tribal lands:
    - White Mountain Safe House (White Mountain Apache Tribe)
    - Page Regional Domestic Violence Shelter (Navajo Nation)
- Division for Children
  - Juvenile Justice Title II Funding: grant funds must be used to support programs related to delinquency prevention and reduction, juvenile justice system improvement, research, evaluation, statistical analysis, and training and technical assistance. Currently the following tribes are funded:
    - San Carlos Apache Tribe
    - Hualapai Tribe
  - Juvenile Accountability Block Grant: funds are provided as block grants to states for programs promoting greater accountability in the juvenile justice system. Local and tribal governments can then apply to the states for funds to support local accountability programs. Currently the following tribes are eligible for funding:
    - Navajo Nation
    - Gila River Indian Community

## Upcoming Events

- Division for Substance Abuse Policy

The first Arizona Drug Endangered Children (DEC) Tribal Training Workshop will be held on January 28- 29, 2009 at the Radisson Fort McDowell Resort and Casino. The event is hosted by the High Intensity Drug Trafficking Area (HIDTA), U.S. Attorney's Office and the Fort McDowell Yavapai Nation. Other sponsors include the Inter Tribal Council of Arizona.

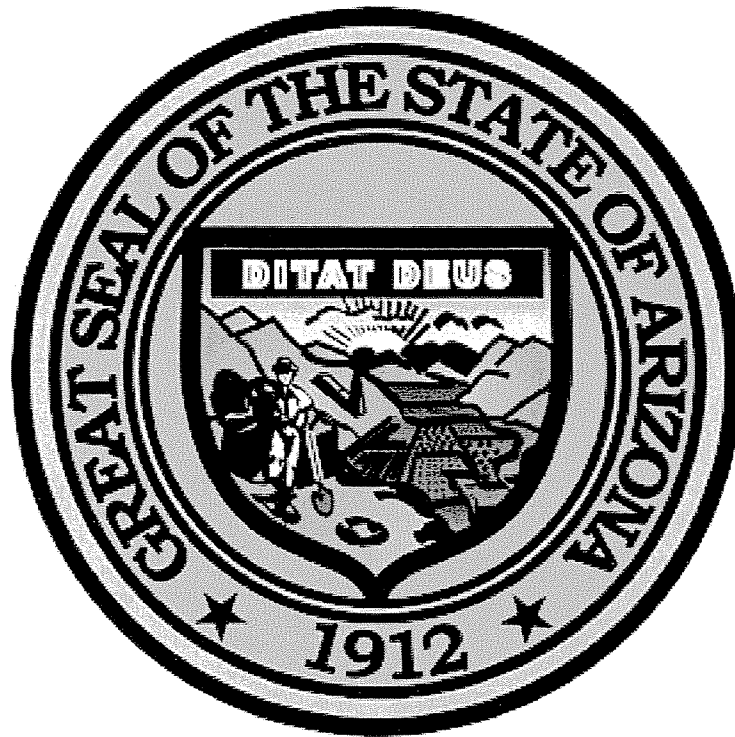
The purpose of the Workshop is to bring together tribal representatives from different disciplines that encounter DEC to educate them and facilitate the creation of Memoranda of Understanding and DEC Protocols to ensure the safety and protection of children living in these dangerous environments. This is the first Tribal DEC training workshop to be held in Arizona, and only the second in the United States. Invitations for the event will be sent to tribal leaders, tribal law enforcement and social services, tribal capacity substance abuse coalitions and representatives from relevant sectors of all tribes.

- Division for Community and Youth Development

3<sup>rd</sup> Annual Youth Leadership Day scheduled for March 2<sup>nd</sup>, 2009 from 10:00 am to 4:30 p.m. at the Phoenix Convention Center.

Youth Leadership Day is an opportunity for municipal youth councils to gather at the State Capitol to learn more about the public policy-making process, learn about leadership opportunities, and meet with their legislators and other elected officials.

For more information regarding grant opportunities, boards and commissions or upcoming events please visit the Governor's Office for Children, Youth and Families website at [gocyf.az.gov](http://gocyf.az.gov) or call Carisa Dwyer, Tribal Liaison at 602-542-3404.



**Arizona Department  
of Commerce**

**December 10, 2008**

**DIRECTOR**  
Marco Lopez

**TRIBAL LIAISON**  
Rafael Tapia  
Regional Manager



ARIZONA DEPARTMENT  
OF COMMERCE

*The center for economic advancement*

**Arizona Department of Commerce  
Tribal Activity Report  
June 2008 -- November 2008**

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The following report is an update for the period June 2008 through November 2008. It is a supplement to the May 2008 report submitted to Governor Napolitano and Tribal Leaders highlighting the Arizona Department of Commerce work with Arizona Tribes, Tribal Communities and stakeholders. The Arizona Department of Commerce seeks to promote, enhance and initiate statewide economic, workforce and community development efforts. Strategic partnering and leveraging of resources with Arizona's Indian Nations, Tribes and Communities are vital to sustaining a strong economy.

This summary outlines Commerce activities and partnerships with other public and private sector interests working with Arizona Tribes to provide assistance, resources and support towards Tribal economic, workforce and community development efforts.

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**June, 2008**

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**Businesses Assisted:**

**PMC, Inc. – Phoenix**

- Provided an overview of Tribal systems and operations, projects and opportunities. The PMC, Inc. representatives expect to meet with the various Tribal governments and discuss the community development, housing and other technical assistance services offered.

**Micro-Business Advancement Center (MAC) – Tucson**

- Information sharing meeting. MAC proposed to offer the Southern AZ Tribes services to develop entrepreneurship programs. Requested assistance to facilitate a meeting with the representatives of the Tribes.

**Harts and Horses – Red Rock**

- The program provides youth, family and community social and personal development services. The focus of the program is to expose participants to horses and the development process of relationships and personal understanding. The executive director is interested in building a workforce development component to the program and seeks to work with Arizona Tribes. Career paths proposed through this program include social services, counseling, therapeutic, veterinary, and health care.

**ADP Tax Services – Phone Contact**

- Contacted by representatives from the company to inquire about Arizona's Workforce Investment Act (WIA) system and the relationship of WIA and Tribes in Arizona. General information provided as well as a referral to the workforce policy staff. The company seeks to establish a Tribal workforce trained in tax preparation services.

**Tribal Communities and other entities assisted:**

Navajo Nation, The Hopi Tribe, Ft. Mojave Tribe, Ft. McDowell, Yavapai Nation, Cocopah Tribe, Colorado River Indian Tribes, Tohono O 'Odham Nation, Gila River Indian Community, Ak-Chin Indian Community, Hualapai

**Tribe, Salt River Pima Maricopa Indian Community, Pascua Yaqui Tribe, Yavapai Apache Nation, and San Carlos Apache Tribe provided:**

- Prospect Information Forms (PIF). This tool is used to assist with a local communities' economic development business attraction activities
- Grants and other resource information

**Tohono O 'Odham Nation**

- **San Xavier District** - Met with the Economic Development Office and the US Small Business Administration. Coordination of efforts, business resources and technical assistance were discussed.
- A meeting with the Economic Development Office and the Micro-Business Advancement Center included a similar discussion as the one previously listed in regards to resources and assistance. Both entities (MAC and US-SBA) are interested assisting the San Xavier District.
- Several initiatives will be pursued between San Xavier, US-SBA, MAC, and Commerce concentrating on economic and entrepreneurial development, financing, and technical assistance. A mini conference is proposed as a means to promote these initiatives.
- **Education Division** – Met with the Tohono O 'Odham Director of Education and Chair of the Nineteen Tribal Nation Workforce Investment Board (NTNWIB), and Rosalyn Boxer, Director of Special Projects. The final report of the USDA/CEDC grant discussed along with the list of recommendations and tasks which need to be addressed. A workforce project discussed by the NTNWIB Chair targeting workforce opportunities for Tribal Members. Commerce to support the development of a model targeting renewable energy and health care occupations. A follow-up meeting will be scheduled to further develop the proposed concept.

**Pascua Yaqui Tribe**

- **Circles of Care** – Met with the newly hired Manager to discuss youth programming and skill development opportunities. Interest expressed in the various apprenticeship programs and workforce development models targeting youth in the recreation and other related professions.

**ADOC Special Projects Office**

- Meeting held with the Nineteen Tribal Nation Workforce Investment Board Chair regarding the USDA/CEDC project and final report describing the use of funds to establish a core group of Trainers, a curriculum, and a report outlining the options for the Tribal workforce system to develop stronger relations with the economic development system.
- NTNWIB Chair requested additional assistance from the Special Projects Office and Regional Manager to assist with the development of a workforce program model.

**Tribal Liaison Group**

- Met on June 20, 2008 and discussed the Tribal Consultation Policies guiding State Agency relations with Tribes. A meeting between the Governor and Tribal Leaders will focus on this topic. Tribal Liaisons have been working on this as a means to enhance and strengthen the document, work and possible initiatives related to this process.
- Held several meetings prior to the June 20, 2008 meeting to coordinate the agenda, presentations and other related activities.

**Arizona Commission of Indian Affairs**

- Arizona Indian Town Hall Training. The Arizona Department of Commerce Tribal Liaison to serve as a recorder for the AZ Indian Town Hall participated in the training.
- Attended a Board Meeting. Topics included the letters of support to the San Juan Southern Paiute Tribe currently seeking to establish a reservation within the boundaries of the Navajo Nation; The Hopi Tribe's federal request for funds to address the education building and needs of the Hopi Day School; New Board Member Elections; update provided on the proposed merger of the AZ Commission of Indian Affairs and AZ Indian Health Advisory Council.

**Tribal Implementation Plan Sessions (TIPs)**

- Weekly planning meetings, conference call, to discuss the 2008 TIP Summit.
- The dates for the Summit were moved from June 10-12, 2008 to July 29 – August 1, 2008.
- A presentation was conducted by Commerce.

**Arizona Department of Real Estate**

- Met with a staff member of the agency to discuss the issues facing the Pascua Yaqui Tribe and Tohono O 'Odham Nation. A meeting with the Tribal officials will be organized to provide information and establish methods to communicate and address issues of mutual interest. Tribal Liaison provided contact information.

### **Arizona Department of Economic Security – DCSE Information and Reporting**

- Provided information to the staff regarding Arizona Tribes. The map possessed by the program required corrections and additions.

### **Arizona Department of Transportation**

- Attended the Statewide Investment Strategy hearing held in Tucson, AZ. The proposed plan also includes developments surrounding existing roads on Tribal Reservation land.

### **Entities Assisted:**

#### **US SBA**

- Coordinated a meeting with the Tohono O 'Odham Nation San Xavier District. Efforts are underway to establish joint efforts to assist with economic and community development initiatives.

#### **City of Phoenix – Neighborhood Services Division**

- Discussions pertained to the ongoing meetings between Gila River Indian Community and the Neighborhood Services Division. These early stage discussions are meant to identify joint initiatives. Members of the Tribe residing in Phoenix are a point of interest, as well as, the good neighbor approach to work together to better serve these citizens.

**July, 2008**

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### **Businesses Assisted:**

#### **Cardiolert – Phoenix**

- Attended a presentation by the President of the company. The medical device developed by Cardiolert allows patients with current heart conditions to be monitored over the internet. The purpose of the meeting related to the companies interest in working with a Tribe local to Phoenix.

#### **Key Bank – Carefree**

- Provided an overview of Commerce involvement with the Navajo Nation and the agencies economic development resources. The Vice President Native American Financial Services Senior Relations Manager is involved in several projects whereby GADA and other ADOC and State resources are being considered. A follow up meeting will be scheduled to review the applicability of GADA and/or other funding sources.

### **Tribal Communities and other entities assisted:**

**Navajo Nation, The Hopi Tribe, Ft. Mojave Tribe, Ft. McDowell, Yavapai Nation, Cocopah Tribe, Colorado River Indian Tribes, Tohono O 'Odham Nation, Gila River Indian Community, Ak-Chin Indian Community, Hualapai Tribe, Salt River Pima Maricopa Indian Community, Pascua Yaqui Tribe, Yavapai Apache Nation, and San Carlos Apache Tribe provided:**

- Prospect Information Forms. This tool is used to assist with a local communities' economic development business attraction activities
- Grants and other resource information
- Events Information

#### **Tohono O 'Odham Nation**

- **San Xavier District** - Follow up with the Economic Development Manager regarding initiatives discussed with US – SBA and Micro-business Advancement Center concentrating on economic and entrepreneurial development, financing and resources, and a mini conference to promote these initiatives.
- **Education Division** – Met with the Director of Education and Chair of the Nineteen Tribal Nation Workforce Investment Board to discuss the next steps related to the USDA/CEDC grant and recommendations to be addressed. Tentatively scheduled to meet on July 31, 2008 at the Tohono O 'Odham Nation.

#### **Pascua Yaqui Tribe**



- **Land Office** - Met with the Director and provided updates on current status of the Smart Growth Initiative and Scorecard.

#### **Navajo Nation**

- Met with Mr. Eric Descheenie, Special Assistant to the Speaker. Overview of past ADOC involvement with Central Administration and Chapters discussed. Mr. Descheenie recently assumed this role and is establishing contact to seek future partnering on projects the Nation is considering as they relate to infrastructure and facilities.

#### **ADOC Special Projects Office**

- Met with Rosalyn Boxer and Fernando Flores, ASU Intern to review data and information compiled for the project Mr. Patrick Andrews, NTNWIIB Chair proposed and we are assisting with. The data will focus on jobs and particular industries, requirements for entry and management positions, average pay and will be used to lay out a framework for the NTNWIIB to consider as program designs are developed and/or enhanced. The P-20 process and considerations are also included in the summary to be reviewed with Mr. Andrews.

#### **Tribal Liaison Group**

- Follow up meetings with participants regarding the Tribal Consultation Policy activities, group structure, and coordination of the next meeting.

#### **Arizona Commission of Indian Affairs**

- Attended Arizona Indian Town Hall July 13 – 17, 2008 "Preserving Land and Water." As a recorder, participated in the discussions focused on land, water, and other natural resources. Some of the highlights of the discussion include:
  - Encroachment, boundary and border concerns related to growth and the impact on tribal communities and their resources.
  - Gaps in communication between jurisdictions, politicians, communities and agencies.
  - Infrastructure, planning, development and workforce needs identified and considered vital to the protection, preservation and management of land, water and other Tribal resources.
  - Protection of sacred and cultural sites.
  - Partnerships with public and private sector.

#### **Tribal Implementation Plan Sessions (TIPs)**

- Weekly planning meetings, conference call, to discuss the 2008 TIP Summit.
- Summit cancelled due to the low number of registered participants. TIPs coordinators called Tribal contacts and stakeholders and were informed that the economic situation impacting budgets and finances led to the parties not being able to attend.

#### **Entities Assisted:**

##### **NTNWIIB**

- Attended the quarterly Directors meeting held on July 9, 2008 at the Tohono O 'Odham Nation. Discussion focused on the following:
  - Local Activities. Most reported summer youth employment programs consuming staff and program time. Youth program designs discussed as part of the information discussed.
  - Administrative. Discussed allocations and performance measures, data, entering data and new system to be in place to replace VOS.
  - MIS. Directors stressed the importance of going back into the previous year's reports to see if additional data could be captured and improve the performance levels. Issues related to the VOS system discussed and attempts to resolve have fallen short.
  - Recession. A brief discussion addressed the recession and the impact on funding for services.

##### **NTNWIIB**

- Attended the NTNWIIB quarterly meeting held on July 9, 2008 at the Tohono O 'Odham Nation. Discussion focused on the following:
  - Chairs Report – Policies and procedures, revision of bylaws discussed, new members introduced and welcomed. Presentation by Chair Patrick Andrews and Rafael Tapia on the follow up of the USDA/CEDC deliverables and the workforce program design proposed by Mr. Andrews to be considered for development and possible replication.

- Administrative. Discussed allocations and performance measures and implementing a proactive approach to assist an AE to resolve performance issues and/or redistribute the funds allocated.
- Performance Measures. The NTNWB discussed the issue of failing the measures 2 years in a row and the steps the board can take to assist the AEs with the issues impacting performance. Mr. Andrews recommended action on this matter and to identify and propose a plan of action.
- A recommendation by the Directors presented to the board to hire a financial advisor/consultant to assist with the issues AE's are dealing with at the local level. Financial training to be provided.

**August, 2008**

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**Businesses Assisted:**

**Cardiolert – Phoenix**

- Additional information provided by the company which designed a medical device. The documents are meant to assist with the coordination of meetings to be scheduled with a Tribe in the Phoenix Metro area.

**Finney, Donagle and Lawrence**

- Contacted Gila River Indian Community to provide an overview of the project, a joint venture, proposed by the company representatives. Gila River Indian Community will review internally and seek to schedule a face to face meeting with the company representatives.

**Tom Shaffer – Custom Furniture Company.**

- Mr. Shaffer, Owner/Partner of a custom furniture company inquiring about State resources to assist his company and assistance to identify a Tribe whom will partner and invest in the company.
- Mr. Shaffer will provide materials further describing his company and will schedule a follow up to further discuss this matter.

**Tribal Communities and other entities assisted:**

**Navajo Nation, The Hopi Tribe, Ft. Mojave Tribe, Ft. McDowell, Yavapai Nation, Cocopah Tribe, Colorado River Indian Tribes, Tohono O 'Odham Nation, Gila River Indian Community, Ak-Chin Indian Community, Hualapai Tribe, Salt River Pima Maricopa Indian Community, Pascua Yaqui Tribe, Yavapai Apache Nation, and San Carlos Apache Tribe provided:**

- Prospect Information Forms. This tool is used to assist with a local communities' economic development business attraction activities
- Grants and other resource information
- Events Information

**Yavapai Apache Nation**

- **Familiarization Tour** - On August 1, 2008 I attended an event held by the Nation hosting partners and stakeholders from the State and local government, private sector and community. The tour involved a meeting with Tribal Leaders, key departments and visit to the community.

**Tohono O 'Odham Nation**

- **Education Division** - On August 4, 2008, met with Mr. Patrick Andrews, Director of Education and Chair of the Nineteen Tribal Nation Workforce Investment Board to discuss workforce program model designed around renewable energy and health care. This part of the meeting involved the focus on Mr. Andrew's role as director and the initiatives he is pursuing which parallel his role and work with the workforce development board. Mr. Andrews seeks to establish a system aligning K-12, workforce and higher education resources to target opportunities in the renewable energy and health care arena.
- **San Xavier District** – Follow up with Mr. Art Lopez, Economic Development Manager to update on the one day resource event and proposed partnering with the Micro-Business Advancement Center.

**Shonto Community Governance, Navajo Nation**

- On August 14, 2008 attended the Shonto Business and Finance Committee meeting to outline a financing strategy and identify potential partners.
- A September 19, 2008 meeting held at the Arizona Department of Commerce to develop an agenda and focus on segments of financing which pertain to private and public financing categories.

- A meeting held on September 24, 2008 at the Governor's Rural Development Conference with representatives attending the Funding Fair, Shonto Representatives, members of the Tribal Implementation Plan Sessions and AAED.

#### **Pascua Yaqui Tribe**

- Met with the Development Services Staff to obtain information on commercial projects proposed on fee simple land and provide updates on State resources and initiatives.

#### **Hualapai**

- **Follow up** – Contacted Mr. Bernie Propst, CFO Grand Canyon Resort to coordinate a follow up meeting related to the road project requiring additional funding.

#### **Gila River Indian Community**

- Film Production Initiative and Medical Device Proposals – Contacted the Economic Development Office to discuss the proposals. A follow up will be conducted by the department and this will include coordination with the Arizona Department of Commerce.

#### **ADOC Special Projects Office UPDATE**

- Met with Rosalyn Boxer to review data and information compiled for the project Mr. Patrick Andrews, NTNWB Chair proposed. The data is focused on entry level criteria required for particular industries such as renewable energy/solar and health care. Mr. Andrews is proposing to provide a design to the tribal workforce system and is working with our agency to provide the initial data and support.
- A meeting will be scheduled at the ADOC to meet with the Apprenticeship Office and the Tribal Energy and Renewable Energy Coordinator.

#### **Film Office**

- Production Company – Follow up with the Film Office to coordinate meetings with the Gila River Indian Community.
- Jamie Oliver Show - Commerce Film Office contacted by the representatives prospecting to do a show which may involve an Arizona Tribe(s) restaurants, food and/or cultural beliefs. Contacted the AZ Office of Tourism to elicit ideas for the representatives to consider. AOT already involved in this effort. Sought to coordinate efforts between AOT and Film.

#### **GADA**

- Proposed Rules Change – Met with Ms. Lisa Danko and Ms. Jennifer Pittman-Leeper to review rule changes and to organize a meeting with tribal leaders and representatives. These actions are also intended to comply with the Commerce Tribal Consultation Policy.

#### **Tribal Liaison Group (TLG)**

- On August 15, 2008 met with the TLG at the AZ Department of Environmental Quality. The ADEQ provided an overview of the services and programs provided to Tribal and other communities. Agenda items also included ongoing items related to the TLG structure, purpose and Tribal Consultation Policy Implementation Process.

#### **Tribal Implementation Plan Sessions (TIPs)**

- Met with Mr. Levi Esquerre to schedule a meeting with TIPS and the Shonto Community Governance.

#### **Arizona Department of Water Resources**

- Staff requesting assistance to coordinate meetings with the Pascua Yaqui Tribe and Tohono O 'Odham Nation on water resources, coordination and updates.

#### **Entities Assisted:**

##### **City of Maricopa**

- Contacted by Ms. Danielle Casey, Economic Development Manager to schedule a meeting and discuss collaboration and communication activities with the Ak-Chin Indian Community and the Gila River Indian Community. A Tribal Liaison has been appointed by the City of Maricopa to work on the relationship between the City and Tribes. A follow up meeting is scheduled to meet with the Tribal Liaison.

##### **SIENA**

- Assisted with promoting the organizations leadership and education conferences. SIENA is a Native American education organization. The mission of SIENA is "to provide the resources necessary for Native American Students to get the best education they can in a culturally rich environment that promotes health and well-being."

#### **NTNWIB**

- Met with Mr. Patrick Andrews and Rosalyn Boxer to review data compiled for target industries and a proposed workforce program design to be presented to the NTNWIB and Tribal Workforce Programs. The intent is to identify a model and resources to create employment opportunities in target industries which could vary by tribe.

#### **SEPTEMBER 2008**

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#### **Businesses Assisted:**

##### **Earle, Shockey and Hutchinson – Michael Vaughn, Vice-President**

- Met to discuss proposed GADA rules changes. Mr. Vaughn inquired about the legislative language change in the bond program requiring political subdivisions to apply through central government. The clarification was made that this is a rules making process instead of an attempt to change legislative language.

##### **KIN Solar, LLC – Ken Morgan President**

- Meetings held to discuss Mr. Morgan's services and products related to solar/thermal for both residential and commercial users. Mr. Morgan requested assistance to meet with Tribes.

#### **Tribal Communities and other entities assisted:**

**Navajo Nation, The Hopi Tribe, Ft. Mojave Tribe, Ft. McDowell, Yavapai Nation, Cocopah Tribe, Colorado River Indian Tribes, Tohono O 'Odham Nation, Gila River Indian Community, Ak-Chin Indian Community, Hualapai Tribe, Salt River Pima Maricopa Indian Community, Pascua Yaqui Tribe, Yavapai Apache Nation, and San Carlos Apache Tribe provided:**

- Prospect Information Forms. This tool is used to assist with a local communities' economic development business attraction activities
- Grants and other resource information
- Events Information

##### **Shonto Community Governance, Navajo Nation**

- In concert with CAIED and Arizona Office of tourism set up the logistics for the Shonto Community Finance Committee meeting. Contacted public and private sector funding and financing entities to attend. On September 19, 2008 attended the meeting at the ADEQ conference room in Phoenix. Representatives from HUD, GADA, Workforce Policy, Meryl Lynch, Wells Fargo and Tribal Liaisons from various agencies attended the meeting.
- On September 25, 2008 a second meeting took place at the Governor's Rural Development Conference "Funding Fair Event." At this second meeting, representatives from USDA and USEDPA were in attendance. Officials of Shonto presented on a 10 acre business site and an 18 acre public facilities and housing development and requested financial assistance. Pending additional work, HUD, USDA and USEDPA were committed to assist with the development of these projects.

##### **Navajo Nation – Eric Descheenie, Staff Assistant to Speaker Morgan**

- Met with Mr. Descheenie regarding intergovernmental relations between Navajo Nation and Commerce. Mr. Descheenie is identifying areas of opportunity and concern for follow up between his office and Commerce.

##### **Gila River Indian Community – Economic Development Office**

- Several companies approached Commerce to seek a meeting with GRIC. Contact was initiated with GRIC to discuss a meeting with representatives of three companies seeking to present their business venture.

##### **Havasupai Tribe**

- The efforts to assist the flood recovery process underway at the Tribe coordinated by the Governor's Policy Advisor on Tribal Affairs. Commerce submitted a briefing paper on resources available to assist.

##### **Pascua Yaqui Tribe**

- Attended the dedication ceremony and community event hosted by the Tribal Council. A newly constructed health and wellness facility, baseball fields, exercise and swimming facility at the center of the celebration. This project has been years in the making and has come to fruition.

#### **San Xavier District, Tohono O 'Odham Nation**

- Follow up with the Economic Development Office on the meetings held with the Microbusiness Advancement Center and US – SBA. A half day mini-conference/resource day is an action item identified to assist with the entrepreneurship development goal of the community.

#### **Commerce – Business Attraction and Expansion**

- Southern Arizona BA and E Manager met to discuss the economic impact on the area of AZ and the impact on expansion and attraction activities.

#### **Commerce – GADA**

- Attended the September 4, 2008 GADA Tribal Consultation Session on the Proposed Rules Changes. Representatives from Yavapai Apache Nation, Navajo Nation, and Tribal Organizations were in attendance and provided comments on the changes proposed.

#### **Commerce – Workforce Policy**

- On September 8, 2008 attended a meeting with Workforce Policy, Energy Office, Apprenticeship Programs and Mr. Patrick Andrews, NTNWB Chair and Executive Director of Education Tohono O 'Odham Nation to proceed with a project encompassing workforce, education and entrepreneurship. The project concept focuses on renewable energy and health. The meeting reviewed components of the design. A follow up meeting scheduled for September 12, 2008.
- On September 12, 2008 attended a meeting to discuss the framework and action items to further development an education, workforce and entrepreneurship model focused on renewable energy and health.

#### **Commerce – Film Office**

- Follow up on a project proposed by a film production company. Company representatives are proposing to finance a new business venture in Arizona and seek to partner with an Arizona Tribe located in Metro-Phoenix.

#### **Commerce – Special Projects Office**

- Follow up on a company on a company seeking assistance to partner with a Tribe in Metro-Phoenix. The company has designed a medical device which utilizes the internet to monitor patients.

#### **Arizona Department of Gaming**

- Attended the Gaming meeting at the Tohono O 'Odham Nation to discuss the agreement between the Tribe's and the State. Part of the discussion included a presentation by Ms. Lisa Danko, CEDC and the 12 % Local Communities Fund (LFC). Several Tribes expressed interest in utilizing the LFC.

#### **Representative Albert Tom and Navajo Nation**

- Attended a meeting hosted by Representative Tom. Representatives of Chapters, Navajo Nation Council and State Agencies attended the meeting to discuss resources available for projects Chapters are considering. Representative Tom will be leaving office in November of 2008 and sought to facilitate this meeting as part of the transition process.

#### **Arizona Department of Health Services– Cynthia Daugherty**

- Participated in the ADHS Tribal funding program. Reviewed and scored proposals submitted for tobacco use prevention.

#### **Governor's Tribal Leaders Roundtable Session**

- Governor Napolitano hosted a meeting with Tribal Leaders to review and discuss the Tribal Consultation Process. Throughout the meeting leaders acknowledged the importance of Tribal Liaison's and the Tribal Consultation Process, however, spent the majority of the meeting time discussing current issues.

#### **Governor's Rural and Regional Development Conference**

- Attended the conference held on September 24-26, 2008.

**Tribal Liaison Group (TLG)**

- A fact sheet describing the purpose and composition of the group is in the design stage. This fact sheet will be integrated into marketing and public information activities. In addition, it will serve as an introduction on the TLG link on the Arizona Commission of Indian Affairs website. Commerce Tribal Liaison assigned as the facilitator of this work.

**City of Maricopa – Keith Betsui, Tribal Liaison**

- Coordinating a follow up meeting with Ak-Chin Indian Community and Gila River Indian Community to discuss cooperative opportunities and to share information.

**Arizona Commission of Indian Affairs**

- The 2009 Indian Nations and Tribe's Legislators Day planning committee is beginning to prepare for the coming year's session. Commerce Tribal Liaison will be participating in the planning committee.

**Nineteen Tribal Nation Workforce Investment Board Meeting**

- The Director's meeting is scheduled for November 19, 2008 and the Board Meeting is scheduled for November 20, 2008 at the Fort Mojave Tribe AVI Resort and Casino.

**TIPS**

- A Tribal visit will be scheduled with Ft. Mojave Tribe as per Vice-Chair Shawn Lewis's request.

**October 2008**

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**Businesses Assisted:****KIN Solar, LLC**

- KIN Solar CEO Ken Morgan presented his companies services and products which focus on renewable energy. Mr. Morgan requested assistance to meet with the Pascua Yaqui Tribe to provide an overview of the company products and services. A new housing development project currently underway at the Tribe is of interest to Mr. Morgan.

**Tribal Communities and other entities assisted:**

**Navajo Nation, The Hopi Tribe, Ft. Mojave Tribe, Ft. McDowell, Yavapai Nation, Cocopah Tribe, Colorado River Indian Tribes, Tohono O 'Odham Nation, Gila River Indian Community, Ak-Chin Indian Community, Hualapai Tribe, Salt River Pima Maricopa Indian Community, Pascua Yaqui Tribe, Yavapai Apache Nation, and San Carlos Apache Tribe provided:**

- Prospect Information Forms. This tool is used to assist with a local communities' economic development business attraction activities
- Grants and other resource information
- Events Information

**Tribal Liaison Group**

- Participated in drafting a document describing the group's purpose and role in the area of State and Tribal relations.

**Gila River Indian Community**

- Coordinating meetings with several companies seeking to partner with the Tribe. The proposals include a joint venture component and seek to complement and/or enhance existing activities established within the community.
- Contacted the Economic Development Office in regards to the Enterprise Zone renewal application. The GRIC is part of the Western Maricopa Enterprise Zone. Strategic Investment and Research sought to finalize the application.

**Tohono O 'Odham Nation**

- Ongoing work with Mr. Patrick Andrews, Director of Education Division and Nineteen Tribal Nation Workforce Investment Board to establish a working model integrating education, workforce and economic development. The focus of this work is on renewable energy and health. Commerce Workforce Policy, Special Projects Office, Energy Office, Apprenticeship Program and Tribal Liaison are assisting on this project.

- San Xavier District, Tohono O 'Odham Nation – Continued discussion with the economic development manager in regards to a newly formed partnership with the Microbusiness Advancement Center and the entrepreneurship focus the partnership will concentrate on. Furthermore, Commerce is assisting with a resource day to be hosted by the District and target entrepreneurship, workforce and economic development resources.

#### **Arizona Commission of Indian Affairs (ACIA)**

- The ACIA held the quarterly board meeting this month. The items of discussion included:
  - New location of ACIA headquarters
  - 2009 Indian Nations and Tribes Legislation Day
  - Budget overview
  - Arizona Indian Town Hall proposal for change in the format of the event in light of the recent experiences in the previous two events.

#### **Tribal Implementation Plan Sessions (TIPs)**

- Coordinating the next Tribal visit with the facilitators. Ft. Mojave has requested a follow up meeting to discuss several economic development projects and a newly formed joint venture. The interest is also to pursue the development of Individual Development Account (IDA) program. IDA's match a participant's savings dollar for dollar. Savings can be used to finance housing, education and/or a small business.

#### **Arizona Department of Health Services**

- Served on the Scoring Committee reviewing proposals seeking ADHS funding for Tobacco prevention research or program implementation. Several meetings occurred during the month to review, clarify information and finalize the committee's recommendations.

#### **White Mountain Apache Tribe**

- The Tribe is requesting to have an ED 101 presentation held for the Tribal Council. Contact with Vice Chair Margaret Baja-Walker is currently underway to elicit details about the format for the presentation.

#### **City of Maricopa, Ak-Chin Indian Community, Gila River Indian Community and Commerce**

- Representatives of the respective entities have been engaged in ongoing dialogue related to coordination and cooperation. Following a meeting in August, it was determined that the initial dialogue focused on economic, workforce and community development activities was productive and insightful. The exchange of information would be the mainstay of the meetings removing the concern that the representatives were speaking on behalf their respective communities. A meeting is scheduled for October 28, 2008.

#### **November 2008**

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#### **Businesses Assisted:**

##### **KIN Solar, LLC – Tucson, AZ,**

- Coordinated a meeting KIN Solar and the Pascua Yaqui Tribe to discuss alternative energy and energy efficient products for housing developments engaged by the Tribe. Mr. Ken Morgan President of the company provided me with an update and stated he is scheduling another meeting with the Tribe's housing staff to seek a business relationship. As updates occur, Mr. Morgan stated he would contact Commerce.

##### **Art Photography – Tucson, AZ**

- Contacted for business development resources, funding and technical assistance. Provided the following information:
  - Arizona's Entrepreneur's Edge as a tool for small business planning and resources.
  - Referral to the Micro-Business Advancement Center.
  - Referral to TREO for assistance with location of the business in Downtown Tucson.

##### **FAULKNER Land Company - Tucson, AZ**

- Met with Mr. Dale Faulkner, Principal of the company, to discuss a business venture. Mr. Faulkner requested Commerce assistance to facilitate the contact and coordination with the respective representatives to address the opportunity for the development of solar power. Mr. Faulkner recommended that a follow up meeting occur to discuss a plan of action and further pursue this proposal.

### **KnowledgeDNA – Santa Barbara, CA**

- Met with Mr. Steve Strickholm, CEO of KnowledgeDNA. According to Mr. Strickholm KnowledgeDNA "helps groups manage Discussions, To Do Lists, and Projects and Tasks, via email and the web - so everyone saves time, stays on the same page and nothing falls through the cracks.....Prior to founding KDNA I worked for 20 years as a social worker / psychologist, helping people with mental retardation and mental illness find and keep jobs and housing in the community. For 10 of those years I was the Director of our nonprofit organization....Because of my commitment to the nonprofit community, we have created a Nonprofit Philanthropy Program. KDNA is offering to specific Nonprofits, a donation of our collaboration software and hosting at NO COST -- a \$10K to \$30K donation."
- Mr. Strickholm is seeking to work with Arizona Tribes and requested assistance with information and contact with Tribal representatives.

### **Long Group – Phoenix, AZ**

- Contacted by Mr. Greg Long to discuss a joint venture with an Arizona Tribe. Mr. Long is interested in establishing a film production venue. A meeting will take place on November 19, 2008 to discuss the proposal and the assistance the company is requesting of Commerce staff.

### **Tribal Communities and other entities assisted:**

**Navajo Nation, The Hopi Tribe, Ft. Mojave Tribe, Ft. McDowell, Yavapai Nation, Cocopah Tribe, Colorado River Indian Tribes, Tohono O 'Odham Nation, Gila River Indian Community, Ak-Chin Indian Community, Hualapai Tribe, Salt River Pima Maricopa Indian Community, Pascua Yaqui Tribe, Yavapai Apache Nation, and San Carlos Apache Tribe provided:**

- Prospect Information Forms. This tool is used to assist with a local communities' economic development business attraction activities
- Grants and other resource information
- Events Information

### **Tohono O 'Odham Nation**

- **San Xavier District** – Follow up with Mr. Art Lopez, Economic Development Manager to receive an update on the one day resource event Commerce will be assisting with, use of office space and a proposed business venture.

### **White Mountain Apache Tribe**

- **Follow up** – Contacted Vice Chairwoman Margaret Baha-Walker to discuss the details of the economic development presentation to the Tribal Council.

### **Gila River Indian Community**

- Contacted the Economic Development Office to discuss several business prospects seeking to meet and present their proposals.
- Contacted the Economic Development Office in regards to the Enterprise Zone re-accreditation process. The Tribe is part of the Western Maricopa Enterprise Zone and is due for re-accreditation requiring the submission of a complete application. Commerce staff met with the Gila River Economic Development Committee and Economic Development Office during this month. Following the meeting, Commerce received information that the decision was to recommend to the Tribal Council for Gila River Indian Community to continue it's involvement in the EZ. The full Tribal Council meeting is scheduled for November 19, 2008.

### **ADOC Business and Finance Division**

- Discussed the ongoing communication and meetings with Gila River Indian Community in relations to the Enterprise Zone re-accreditation process. A Meeting with the Tribal Council is scheduled for November 19, 2008. A decision will be reached in regards to the Tribe's continued participation in the Western Maricopa Enterprise Zone.

### **Tribal Liaison Group**

- Met with the newly formed Tribal Liaison Economic Development & Infrastructure Team is comprised of Dept. of Commerce, Governor's Office of Equal Opportunity, GITA, Dept. of Financial Institutions, Dept. of Housing, Library and Archives, Registrar of Contractors, Tourism, and ADOT.
  - The Team committed to 3 feasible goals to be completed by January 20th:
    1. Post notice of funding and training opportunities on ACIA website by January 1<sup>st</sup>



2. Indian Nations and Tribes Legislative Day
    - A. Host a Economic Development and Infrastructure Session
    - B. Coordinate a canned food drive for Havasupai
  3. Develop EDI guiding principles and fact sheet
- As a team, we concluded that we would follow up with our own agencies to determine if we have completed all previous requests:
    1. Reviewed and approved agency profiles for website posting
    2. Submit a Tribal Consultation Policy
    3. Submitted Annual Tribal Consultation report
  - Second meeting held on November 19th at 10:00 to 11:30.

## Energy Office

- Debby Tewa, Renewable & Tribal Energy Coordinator Arizona Department of Commerce – Energy Office has conducted the following activities:

## Tribal Rural Electrification – On Going

- The Energy Office, in partnership with Arizona State University – Photovoltaic Testing Lab and Arizona Public Service, is offering un-electrified tribal homes the opportunity to photovoltaic modules that are donated from ASU-PTL. On October 28, 2008, TUV Rheinland Group, a German Technical Services Provider, collaborated with ASU-PTL. This recent partnership has not communicated with the Energy Office as to whether the donation of the PV modules will continue for the Tribal Rural Electrification Project.
- **Update:** The Navajo Community in Oakridge located in Black Mesa has received funds from the Navajo Nation to hire an integrator to install the solar electric system which is scheduled to begin in December 2008. The donated modules will energize ten homes.

## Education Outreach

- The Arizona Energy Office staff provided an in depth information on off-grid PV system deployed on both Navajo and Hopi unserved communities to the Sandia Labs Tribal Energy Program summer interns, Laguna Tribal Utility Authority (LTUA), and to Sandia's Education Program. The site visit demonstrated the barriers and success of electrifying homes without access to grid power. The Sandia TEP team included Principal Member of a Technical Team, summer interns who are studying mechanical engineering with wind turbines at Northern Arizona University, three students in the Masters Program in Community Development, University of New Mexico and a staff member from Laguna Tribal Utility Authority. LTUA would like to replicate the NTUA and Native SUN Solar program. Sandia's Teacher Program included eleven math and science teachers from the states of Oregon, Pennsylvania, and New Mexico. The team traveled from Albuquerque, Chinle, Kayenta (Navajo) and Moencopi, Hotevilla, Oraibi (Hopi).
- AEO staff coordinated with Arizona Public Service and Tucson Electric Power for Hopi Tribal Council members and staff from the Hopi Clean Air Partnership Project to look at utility scale solar generating facilities. The group began with a short presentation on utility scale economic development by Toni Bouchard of APS. Following Toni's presentation, the group visited the 160 kW PV system and the Applied Research & Development building both located on Northern Arizona University campus. The solar energy provides up to 20% of the energy for the Applied Research & Development building. The ARD is a LEED Platinum Rated Building. Day two: the group met with Jeff Lee, APS Saguaro Plant Manager, at the Saguaro 1 MW Concentrating Solar Generating Facility north of Tucson. Mr. Lee provided a short presentation and led the group on a tour of the plant. Third day: Kaleb Brimhall, Tucson Electric Power, led the group on a tour of the TEP Springerville Generating Station Solar System. Mr. Brimhall spoke on two fields of array, one using the crystal silicon PV modules and the second with amorphous silicon thin film. The total photovoltaic direct current array capacity rating (Standard Test Conditions): 4,590 kilo-watt or kW.
- AEO staff met with two representatives from the Tohono O'odham Nation on the possibility of implementing the Tribal Rural Electrification Project. AEO staff provided information on the Tribal Rural Electrification Program, overview of solar electric system, and provided two solar electric manuals to a staff member of the Tohono O'odham Nation. The Tohono O'odham Nation is exploring the Tribal Rural Electrification Program to electrify homes with solar electricity.

- Photovoltaic Theory and Hands-on Training: The five day photovoltaic training held August 4 – 8, 2008 was conducted on the Hopi Reservation. The training included two and one-half days of classroom instructions and concluding with an installation of a 1100 kilowatt or 1.1 kW off-grid photovoltaic system on a residence who participated in the Tribal Rural Electrification Program. Topics covered in the classroom: Overview of Solar Electricity, Balance of System and mounting racks, load and sizing an off-grid PV system, National Electric Code 690, and safety. The 1.1 kW PV off-grid system was installed by participants and facilitated by staff from AEO and ETA Engineering. Participants of the training were Hopi Tribe (4), Hopi Clean Air Partnership Program (3), Navajo Tribal Utility Authority electricians (2), Sandia National Laboratory summer interns (3), and Laguna Tribal Utility Authority (1). Dignitaries who visited the solar electric installation site were Steve Morello, DOE Deputy Assistant Secretary; Sandra Begay-Campbell, Sandia Labs; and Don Ami, Los Alamos National Lab.
- Grand Canyon Trust, an organization which manages the Balance of System Grant in collaboration with the Tribal Rural Electrification Program, requested a site visit of Denise Lomatska's Photovoltaic system that was installed during the PV Theory and Hands on Training in August 2008. GCT wanted to get a better understanding of the Balance of System and associated hardware for a complete PV system. GCT met with staff of the Hopi Clean Air Partnership Program who is managing the distribution of solar panels on the Hopi reservation.

### **Presentations and Meetings**

- Presented at the National Energy & Utility Affordability Conference Fuel Conference Denver, CO
- Presented at the Housing and Urban Development on Energy Efficiency, Renewables, and Green Building in Housing Conference, Phoenix, AZ
- Presented at the Shonto Rural Electrification Renewable Energy Project Team Meeting, Shonto, AZ
- Presented at the Arizona Solar Energy Advisory Council, Phoenix, AZ
- Keynote speaker at the 28<sup>th</sup> Annual Arizona Commission of Indian Affairs' Indian Town Hall, Cave Creek, AZ
- Presented at Lone Butte Industrial Development Corporation Board
- Participated at the Governor's Rural Development Conference – Funding Fair, Cave Creek
- National Congress of American Indians Conference, Arizona Energy Office was invited by U.S. DOE Golden Office and Sandia National Laboratories to share AEO Tribal Programs, Phoenix.
- The Arizona Energy Office was invited to participate and present information on the AEO Tribal Programs to the City of Maricopa and Ak-Chin Indian Community, Maricopa.



## **Arizona Department of Environmental Quality**

**December 10, 2008**

**DIRECTOR**  
Stephen Owens

**TRIBAL LIAISON**  
Brian Davidson  
Tribal Liaison



**Date:** 12/2/08  
**To:** Governor's Office  
**From:** Arizona Department of Environmental Quality  
**Subject:** Quarterly Tribal Report September 08-December 08

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This past quarter, the Arizona Department of Environmental Quality has held numerous meetings and events with tribes all over Arizona. On Wednesday, October 22, Tribal Liaison, Brian Davidson addressed the EPA Region IX annual Tribal Conference held in San Francisco and gave a report to everyone in the conference.

### **Water Quality Division**

On October 15, 2008 employees with the Water Quality Division and the Navajo Nation Environmental Protection Agency went on a joint inspection of the public water system at the Cameron Trading Post. The joint inspection was held in congruence to ADEQ's tribal policy stating:

*"ADEQ will not conduct any activities within Indian Country without first receiving an invitation from the appropriate Tribal official."*

### **Water Quality Improvement Grants**

All tribes in Arizona are eligible for ADEQ's Water Quality Improvement Grants. The Arizona Department of Environmental Quality Water Quality Improvement Grant (WQIG) Program allocates money from the United States Environmental Protection Agency (EPA) to interested parties for implementation of nonpoint source management and watershed protection. The distribution of grant funds from EPA is provided pursuant to Section 319(h) of the Clean Water Act and administered by the ADEQ Water Quality Division. ADEQ uses these federal funds to implement on-the-ground water quality improvement projects to control nonpoint source pollution. Pre proposal applications are due December 4. Final applications are due February 6, 2009. You may find more information on these grants at:

<http://www.azdeq.gov/environ/water/watershed/fin.html>

A final Rulemaking for Surface Water Quality Standards have been submitted to the Governor's Regulatory Review Council on December 2<sup>nd</sup>. Water Quality Division Director, Joan Card addressed the council at the Ak-Chin Indian Community on December 1 to discuss how the new set of proposed rules may affect them.

### **Waste Programs Division**

ADEQ participated in a cleanup on Saturday, Sept. 20 in Yuma to remove waste discarded during illegal border crossings along the Colorado River. Cleaning equipment and volunteers for the cleanups, ADEQ has worked with state, local, and Cocopah Tribe officials and community groups to organize the cleanup. An estimated 47 tons of waste were collected. This was made up of two 40 x 5 foot rollofs of construction waste (20 tons each), and approximately ¾ of a 40

x 8 foot rolloff of bagged UDM and miscellaneous waste (estimated to weigh 7 tons). Also, we collected and disposed of via Yuma County Waste Management: 18 waste tires, several bicycle tires and inner tubes, and tire scraps; two car batteries and between one to two gallons of waste oil were collected and disposed of by Yuma County Waste Management . Most important, strong relationships were developed with members of the Cocopah tribe, Yuma County Juvenile Justice Center, who provided 16 youth and 2 probation officers and the Bureau of Land Management.

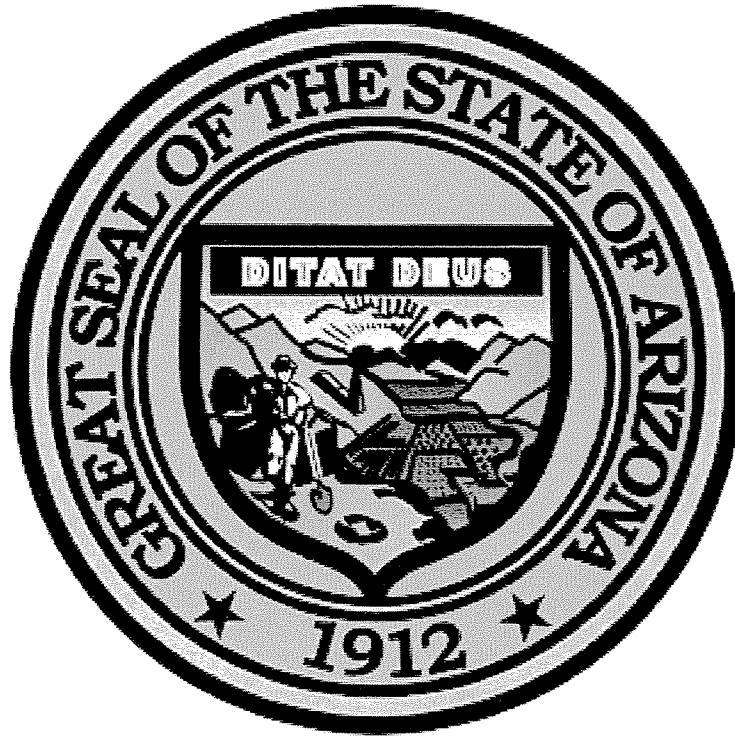
Current discussions are being held with the Pascua Yaqui Tribe regarding the Undocumented Migrant (UDM) waste they are experiencing on the Tortuga Ranch. A possible clean up event is under current negotiations with the tribe.

ADEQ's Recycling Grants will be available to all tribes for the upcoming year. Applications will be available after the new year. Information sessions will be held statewide once the applications are available. You may find out more about the recycling grants at:  
<http://www.azdeq.gov/environ/waste/solid/download/recyclingfacts.pdf>

Waste Programs Division Director represented ADEQ at the first Topok Leadership Advisory Board meeting on October 29th. The Board was convened to discuss high level issues related to the ongoing remediation of Chrome 6 at the PG&E facility in Topok. Contamination from the facility has migrated to soil and groundwater near the plant, and threatens the Colorado River.

#### **Air Quality Division**

On October 31, ADEQ Director, Steve Owens sent a letter to President Diane Enos of the Salt River Pima Maricopa Indian Community congratulating the Community for obtaining a "Treatment as State" for their air quality program from the EPA.



**Arizona Department  
of Health Services**

**December 10, 2008**

**ACTING DIRECTOR**  
January Contreras

**TRIBAL LIAISON**  
Michael Allison  
Native American Liaison

**Arizona Department of Health Services (ADHS)  
Governor's Tribal Leaders Roundtable Update Report  
12/10/08**

**Follow Up on Issues Discussed at Prior Meeting**

**Access to Dialysis Services:**

In response to concerns raised around access to dialysis services, ADHS Director, January Contreras, sought the assistance of the University of Arizona College of Public Health. The College agreed to assign two graduates to research the availability of dialysis services and best practices that exists around the world to provide greater access to people in non-urban areas of the State. The students are expected to present their findings and analysis in mid-December. At that time, Director Contreras will work with the Arizona Health Care Cost Containment System (AHCCCS) to discuss the findings and bring back information to the following Tribal Leader Roundtable.

**Kaibab-Paiute Tribal Behavioral Health Services Questions:**

At the last Tribal Leaders Roundtable, Chairwoman Ona Segundo raised issues regarding a lack of services to support youth. Michael Branham, Director, Arizona Department of Juvenile Corrections (ADJC) worked with Chairwoman Segundo to arrange a multi-agency meeting held on 11/14/08. During the meeting three key issues were discussed: 1) Suicide Prevention Services, 2) Direct AHCCCS billing, and 3) Youth Residential Placement. Representatives in attendance and on teleconference were from ADHS, AHCCCS, Northern Arizona Regional Behavioral Health Authority, Page Community Behavioral Health Services, ADJC, tribal behavioral health contractor, Phoenix Area Indian Health Service, a Tribal Judge, tribal health and finance staff, Vice Chairwoman Bradley and Chairwoman Segundo. Follow up action plans with the respective agencies were agreed to for all three areas however funding source for the residential placement was not identified.

**Hualapai Tribal Request for Suicide Prevention Assistance:**

At the request of Marnie Hodahkwen, Michael Allison ADHS Native American Liaison and Carol Chicharello AHCCCS Tribal Liaison put together a 24/7 Suicide Crisis Intervention proposal to be presented to the Northern Arizona Regional Behavioral Health Authority. A meeting was held in Peach Springs on 10/30/08 to discuss the proposal. Representatives in attendance and on the telephone were from ADHS, AHCCCS, Northern Arizona Regional Behavioral Health Authority, Mohave Mental Health, Phoenix Area Indian Health Service, tribal behavioral health staff, Tribal Police Chief, one Tribal Council member and Sandra Irwin, Tribal health director. The outcome of the meeting was an understanding of the need for suicide prevention activities targeting youth elementary age children. To be more tribal

specific the proposal will be modified into a Tribal Multi-Agency Crisis Response Team concept. Upon revision of the proposal a follow up meeting will be held at Peach Springs.

## **Operational Report**

### **Division of Public Health Services**

#### **Bureau of Chronic Disease Prevention and Control**

##### **Comprehensive Cancer Program**

**Goal:** Establish and strengthen relationships with Native American communities and organizations.

##### **Actions Taken:**

- Quarterly Cancer Coalition meeting: Laura Tillman, MD, Phoenix Indian Medical Center presented "Whole Again, A Breast Reconstruction Program Designed Specifically for Native American Women Undergoing Mastectomy for Breast Cancer".
- Appointed Kenton Laffoon, Program Director, Inter-Tribal Council of Arizona, Inc. to the Comprehensive Cancer Steering Committee in June.
- American Indian Matrix a product of the data committee of the Inter-Tribal Council, Inc. is being reviewed internally by ADHS staff prior to distribution.
- Comprehensive Cancer Program staff participated in the following:
  - "Arizona Retreat For Enhancing Tribal Collaborations 2008" held in Flagstaff, June 25-26
  - Tohono O'odham Cancer Planning and Prevention Subcommittee meetings
  - "Colorectal Cancer Screening Knowledge, Attitudes & Beliefs, of Navajo Elders, Focus Group Results" on 10/10/08 sponsored by Arizona Cancer Center.
  - Arizona Myeloma Network in the AzMN Fort Defiance First Annual Cancer Awareness and Advocacy Conference

##### **Outcomes:**

- Dr. Tillman's presentation - survey of program was excellent and speaker was rated the highest (5) by 80 % of those who completed the survey and the next highest (4) by 17 %.
- Tohono O'odham Cancer Planning Committee - development of cancer control plan document and goals and strategies for the Prevention committee.

##### **Upcoming activities/plans:**

- Tohono O'odham Cancer Planning - complete Prevention section of plan.
- Inter-Tribal Council of Arizona, Inc. to host the January, 2009 Cancer Steering Committee Meeting and to showcase program and facility.



- Cancer Coalition Health Disparities Committee is developing a strategy to engage community leaders and to design a toolkit for sustaining education effort.

## **Arizona Diabetes Program**

**Goal:** Establish and strengthen relationships with Native American communities and organizations.

### **Actions taken:**

- Two abstracts from Native American communities were accepted and presented at the July 18 Arizona Diabetes Coalition meeting: 1) "Monitoring and Access in the Navajo Nation (WiMANN)"; and 2) "Inner Sole, Balanced Soul Diabetes Foot Clinic".
- The Arizona Diabetes Program staff met with the new nurse practitioner, Patricia Mackey and Cheryl Litzen, Health Educator, at Native Health on September 24.
- The Arizona Diabetes Program staff met with ten (10) representatives from the Navajo Special Diabetes Program (NSDP) October 16. Michael Allison, ADHS Native American Liaison, arranged and facilitated the meeting. The purpose of the meeting was to share information about programs including activities and interventions being implemented and to learn how both programs could work together.
- The Navajo Special Diabetes Program provided an exhibit at the October 17 Arizona Diabetes Coalition meeting. Nineteen representatives from Navajo attended this meeting.
- Arizona Diabetes Program presented materials at the 2008 Phoenix Area Tribal, Urban, IHS Diabetes Nutrition Workshop, the Path to a Healthier You on September 29 & 30.
- Arizona Diabetes Program staff attended planning meetings for the Healthy Lifestyle event that the Muevete Guadalupe group held on November 15. The program also provided 180 diabetes health fair toolkits for this event. This community's population is mainly Pascua Yaqui.
- The Program distributed 175 diabetes self-management toolkits to Tohono O'odham August 2008.

**Outcomes:** A Native American representative will serve on the 2009 Arizona Diabetes Leadership Council.

## **Fruits and Vegetables – More Matters**

**Goal:** Provision of resources to promote culturally appropriate messages to increase fruit and vegetable consumption among American Indians and Alaskan Natives.

**Action taken:** A 33-page resource guide was compiled between August 2007 – September 2008, with the assistance of state health departments from Idaho, New Mexico and Arizona, Indian Health Service throughout the country, Montana State University and many American Indian communities including the Inter Tribal Council of Arizona and Phoenix Indian Medical Center. It was released on June 3, 2008.

**Outcomes:** The document is available on the website of the Association of State and Territorial Nutrition Directors at [www.astphnd.org](http://www.astphnd.org) under “hot new resources”. Exhibits and formal presentations on the resource guide have also been featured at both state and national conferences.

### **Well Woman Healthcheck Program (WWHP)**

**Goal:** Establish relationships with Native American communities and increase access to breast and cervical cancer screening services for Native American women.

#### **Actions Taken:**

- Through the American Cancer Society Regional Grant, a mobile mammography unit was made available to provide breast cancer screening on the Navajo Nation. Results of that screening effort are pending.
- Program staff is working with CDC and the Hopi and Navajo tribes to create a history of how the current working relationship has developed over time with the possibility of developing a documentary DVD.
- Program staff has worked with both tribes to establish the linkage between the Arizona Cancer Registry and the tribes’ breast and cervical cancer data. This linkage is mandated by the CDC Breast and Cervical Early Detection Program.
- Virginia Warren is serving on the Tohono O’odham Nation’s Cancer Advisory Board supporting the Early Detection and Screening and Data committees.

### **Bureau of Women’s and Children’s Health**

#### **Injury Prevention Program**

**Goal:** Establish relationships and build capacity on injury prevention initiatives.

#### **Actions Taken:**

- Tomi St. Mars is working with Indian Health Service to update the Safe Native American Passenger’s curriculum. This curriculum is designed to teach car seat safety to community members. The curriculum is distributed by IHS to all their service units nationally. Ms. St. Mars was part of the original curriculum committee.
- Tomi St. Mars facilitated/taught a child passenger safety training in Yuma to benefit the Quechan and Cocopah community. Members of other tribal communities attended.

- Tomi St. Mars is working with Gila River Community Injury Prevention Program on child passenger safety initiatives.

**Outcomes:** The 2007 Child Fatality Report indicates a 1% decrease to American Indians from motor vehicle crashes.

**Upcoming activities/plans:** The Safe Native American Passenger (SNAP) curriculum will be pilot tested in Chinle, AZ in December for health care providers and law enforcement.

### **Teen Pregnancy Prevention**

**Goal:** To reduce unplanned teen pregnancy and STD's in Arizona Native American teens.

#### **Actions Taken:**

- Contracted with the Inter Tribal Council of Arizona (ITCA) to provide Teen Pregnancy Prevention activities at Tohono O'odham (TON), San Lucy District, Colorado River Indian Tribes (CRIT), and Ft. McDowell Yavapai Nation. A contract with the Navajo Nation is pending final signature from the tribe.
- ITCA is providing Wyman Teen Outreach Program (TOP) at all three sites. TON currently has 30 participants ages 11 to 19 actively attending two sessions per week at the San Lucy Health Office. CRIT has 20 participants age 11 to 18 attending two sessions per week at the CRIT Health Services building. Ft. McDowell has 40 participants attending three sessions a week at the Youth Activity Center.
- All three programs are partnering with various tribal health programs to integrate diabetes prevention activities, obesity awareness programming and HIV/STD prevention education into the Teen Outreach Program.

**Outcomes:** No outcomes have been reported at this time. Consistent attendance by youth along with verbal feed back from tribal members that the youth appear to be making more positive decisions/choices suggests that the program is achieving the desired outcomes.

**Upcoming activities/plans:** Pending funding, a release of a new Request for Grant Application (RFGA) to continue and expand Teen Outreach Programming to Native American teens is planned.

### **Health Start Program**

**Goal:** To increase prenatal care services to pregnant women, reduce incidence of low birth weight births, reduce incidence of children receiving age appropriate immunizations and increase educational outreach to families.

**Actions Taken:** The Bureau of Women's and Children's Health (BWCH) has implemented the Fetal Alcohol Spectrum Disorder (FASD) Subcontract through the Northrop Grumman Health and Human Services, the Substance Abuse and Mental Health Service Administration (SAMHSA) FASD Center for Excellence. The FASD project involves two Health Start contractor sites that serve Native American communities. The sites are Native American Community Health Center in Phoenix and Northland Community Health Center in Flagstaff. The first 6 months of the project consisted of planning activities and completion of a needs assessment. The implementation phase began August 1, 2008. Training on alcohol screening and brief intervention techniques was held July 1, 2008. The training was opened to other agencies/programs working with pregnant women and two representatives from the Navajo Nation Fetal Alcohol prevention programs elected to participate. The sites have been conducting alcohol screening on all pregnant women in Health Start and providing a Brief Intervention to those who screen positive for alcohol use. By the end of September 2008, over 52 women had been screened.

**Outcomes:** The two pilot sites have conducted 73 alcohol screenings from August through October 2008. Out of 73 screenings, four (4) clients screened positive for current alcohol use and were given a Brief Intervention.

### **Bureau of Tobacco Education and Prevention (BTEP)**

**Goal:** Support local projects in tribal communities in planning and implementing tobacco education and prevention programs.

#### **Actions Taken:**

- Request for Grant Application (RFGA) for Tribal Populations was issued in July 2008 seeking eligible entities to conduct community assessments to assist with capacity building and program planning for the development of sustainable commercial tobacco prevention programs with strategies implemented to reduce the level of commercial tobacco abuse in tribal communities. Applications are currently in the review/evaluation process. Timeframe unavailable as to when awards will be announced.
- Meetings were held on August 25<sup>th</sup> and September 17<sup>th</sup> with several tribal programs including ITCA seeking input regarding a media campaign targeting Native youth. Additionally, four (4) focus groups were conducted with youth in tribal communities to seek their input on posters about commercial tobacco. The focus groups were held in the following communities: Gila River Indian Community (10/2/08), Ft. McDowell Yavapai Nation (10/6/08), Colorado River Indian Tribes (10/7/08), and Pascua Yaqui Tribe (10/9/08).
- BTEP Program Manager, Verna Johnson, provided an ADHS overview at the San Carlos Apache Tribe Health & Human Services Strategic Planning meeting in Payson, AZ on September 19, 2008.
- BTEP participated in the following meetings with tribal programs: Gila River Indian Community Tobacco Program on 6/24, 6/23, 7/23, 8/21, 8/28, 9/2, 10/9, 10/14, and 10/23, ITCA on June 6, June 20, July 9, ITCA Community Tobacco Advisory

Council meeting on June 24, 2008, Tohono O'Odham Cancer Planning Committee meeting on June 18, 2008, and White Mountain Apache Tribe Tobacco Program on July 23, 2008

**Outcomes:** Decrease in the number of tribal members using commercial tobacco products.

**Upcoming activities/plans:** On November 24, 2008, BTEP staff will be meeting with Marnie Hodahkwen, Tribal Policy Advisor, and Gina Flores, Health Policy Advisor, in the Governor's Office.

### **Bureau of Epidemiology & Disease Control**

#### **Office of Infectious Disease Services**

**Goal:** To support Tribes in infectious disease prevention and control, including disease surveillance, outbreak investigations, case management and mitigation measures; outreach and education; through technical guidance and financial and other support.

#### **Actions Taken:**

- The Arizona Department of Health Services (ADHS) TB Control Program hosted the 14th Annual Four Corners TB & HIV Conference, held on October 28-29, 2008 in Flagstaff, Arizona. About 100 people attended the conference, which included representatives from tribal, county, state and federal health departments, and health care providers from the Four Corners region. The conference focused on the importance of public health infrastructure and the impact it has on preventing disease, managing TB and HIV, and promoting health at the tribal, local, state, and national levels. It emphasized the accomplishments and challenges of TB control in Native Americans in the Four Corners region.
- To date in 2008, 16 human cases of Rocky Mountain spotted fever (RMSF) have been reported on two reservations: 9 cases on the San Carlos Apache Tribe Reservation and 7 cases on the White Mountain Apache Tribe Reservation. 2 deaths have been reported: one in an adult male and one in a 12-year-old child. The reason for the apparent increase in cases is that human case surveillance and follow-up and laboratory testing have improved greatly at the local level for both reservations. The ADHS Vector-borne and Zoonotic Disease Program has assisted the tribes on 5 site interventions (3 conducted since May 2008). Other partners include Indian Health Services and the Centers for Disease Control and Prevention. ADHS continues to supply dog collars, tick sprays, prevention education and pesticide. All available pesticide granules (35,000 pounds) have been delivered to the two Tribes with no more supplies remaining. The repeating cycles of interventions have included 1) controlling ticks on dogs, 2) doing pest control around homes, and 3) providing prevention education to the residents. Tick trapping and monitoring efforts have demonstrated significant reductions in

tick numbers. However, the RMSF threat is very well entrenched and the outbreaks have continued.

- The ADHS Vectorborne and Zoonotic Disease Program and the Arizona State Laboratory Virology Program provided West Nile Virus (WNV) surveillance assistance with regards to identifying and testing mosquito samples to at least 11 tribes as well as offering larvicides to several tribes. Seven human cases of WNV have been reported on the San Carlos Apache Tribe Reservation this year. 108 cases have been reported statewide both on and off reservations. On the San Carlos Apache Tribe Reservation, most of the mosquito breeding/source was coming from backyard containers and clutter that trapped rainwater. This makes a larviciding response impossible and public education critical.

**Outcomes:** TB meetings were successful as judged by attendance by tribes and other TB programs statewide and program evaluations. The information shared will assist in maintaining professional development and local expertise. Despite activities to reduce RMSF and WNV, outbreaks have continued.

**Upcoming activities/plans:** The ADHS TB Program will be providing a TB Update Training for the Navajo Nation TB staff on December 18 in Flagstaff, Arizona.

### **Office of Environment Health**

**Goal:** To assist the Risk Assessment Program/Agency for Toxic Substances Disease Registry (ATSDR) grantee at Gila River Indian Reservation.

**Action Taken:** A new employee was hired at Gila River Indian Reservation to conduct environmental risk assessments and health consultations. OEH's Risk Assessment and Health Consultations program is also an ATSDR grantee. The program has been providing training and assistance to the Gila River employee on the processes to develop and write risk assessments and health consultations. Staff has been meeting on a monthly basis since August.

**Outcome:** Staff from both programs has developed a good working relationship and will effectively collaborate on environmental risk assessments or health consultations that may arise between the state and tribe.

**Upcoming activities/plans:** Continue to work and train as needed by the Gila River program.

### **Arizona Immunization Program (AIP)**

#### **AIP - Perinatal Hepatitis B Program**

**Goal:** To prevent the spread hepatitis B infection among Native American newborns and their mothers.

**Action Taken:** A perinatal hepatitis B presentation was delivered to the Gila River Indian Community at the Laveen community.

**Outcome:** The Health Educators are prepared to educate Native American women about perinatal hepatitis B infection and the hepatitis B vaccine. These Health Educators will work in the Gila River Indian Community clinics and out in the community.

### **AIP - Adult Immunizations**

**Goal:** Increase awareness among disabled Native Americans about the health advantages of adult vaccinations.

**Action:** Immunization Program staff served on the planning and program development committees for the Native American Disability Summit Conference on March 18, 2009.

### **AIP - Assessment**

**Goal:** Improve immunization rates of Native American children.

#### **Actions Taken**

- The Immunization Program Office mailed immunization literature to healthcare providers and schools located in reservation communities. The literature informed healthcare personnel and school personnel about recommended and required immunizations; specific literature explaining the purpose of the new meningococcal and pertussis vaccinations for 11-12 year olds was included.
- The immunization coverage levels of 11-15 year olds who receive health care at six Indian Health Service (IHS) clinics in four different Arizona counties were assessed in October 2008 to determine the coverage levels for Tdap, meningococcal, and Human Papillomavirus (HPV) vaccines. The assessment was completed as a follow up to assessments conducted at same sites in 2007. The purpose of the 2008 assessment was to determine the impact of a new state mandate for 11-12 year olds to receive meningococcal and Tdap vaccines to enter sixth grade.

**Outcomes:** Immunization coverage levels of 11-15 year olds receiving health care at six IHS clinics increased after immunization literature was sent to schools and a mandate meningococcal and Tdap vaccines was implemented. From 2007 to 2008, the coverage levels increased from 6% to 42% for meningococcal vaccine, from 37% to 42% for Tdap, and from 10% to 43% for HPV, the vaccine that was not included in the school mandate.

## **AIP - Arizona State Immunization Information System**

**Goal:** Continuing bi-directional data exchange between Arizona State Immunization Information System (ASIIS) and I.H.S. Resource and Patient Management System (RPMS) to assure accurate immunization records in both databases.

**Action Taken:** Ongoing data quality checks with sites (Chinle, Sells, San Xavier, and Santa Rosa) that are piloting a new version of the application. Four additional sites (Gallup, Tuba City, Fort Defiance, and Winslow) migrated to the new version of the application during this quarter. A listing of individual users' access rights was provided to the I.H.S. Immunization Registry Coordinator in anticipation of future migration of all sites. Once the migration is complete, access to the ASIIS application will be limited to view-only as opposed to the ability to update records in ASIIS. All data will be entered directly into the RPMS in anticipation of electronic transmission to ASIIS.

**Outcomes:** This process will greatly improve the data quality from the reporting sites. Complete immunization records will be available with less duplication of effort in both databases, since ASIIS provides information regarding immunizations administered at other I.H.S. sites within the State of Arizona.

**Upcoming activities/plans:** It is anticipated that additional sites will migrate to new version of the application and receive bi-directional exchange of data within next few months.

## **Division of Licensing Services**

### **Action Taken**

Mary Wiley, Assistant Director, Alan Oppenheim, Deputy Assistant Director, and staff from Special Licensing, Medical Facilities, and Assisted Living Programs met with Michael Allison, ADHS Native American Liaison, and representatives from AHCCCS to discuss tribal certification of programs, facilities and services for Medicare/Medicaid reimbursement and the role the Division would or could play in those processes.

## **Division of Behavioral Health Services**

### **Office of Clinical Practice Improvement**

**Goal:** Provide culturally competent substance abuse treatment training to staff who work predominantly with Native American adolescents.



**Actions Taken:**

- DBHS requires each Tribal and Regional Behavioral Health Authority (T/RBHA) to identify the Substance Abuse services needed for each Tribal Nation within their Geographic Service Area (GSA) and incorporate the needed services into their Children's System of Care (CSOC) Plans. As a direct result, each RBHA has incorporated expansion goals into their CSOC plans. Such expansion goals include training efforts in the area of culturally appropriate, evidence-based training for substance abuse treatment.
- DBHS sent out a request for proposals to the T/RBHA's to provide evidenced-based training to clinical staff and tribal members which focused on the treatment of substance abuse among Native American youth. Two RBHA's submitted proposals: Northern Arizona Regional Behavioral Health Authority (NARBHA) and Cenpatico. Both RBHA's requested and were approved for the funding of two White Bison trainings titled, *"The Medicine Wheel & 12 Steps for Youth"*. This training was chosen because it is designed specifically for Native American youth and is needed to help provider staff, tribal staff and community members learn skills to facilitate the training within their communities.
- Each RBHA was responsible in selecting RBHA staff, Tribal staff members, and community members to attend the trainings. Additionally, each RBHA was responsible for selecting training locations in areas with higher populations of Native Americans. Funding was made possible through the Child and Adolescent State Infrastructure Grant (CA-SIG), which is housed within the Office of Clinical Practice Improvement.
- Training in this area was needed in order to increase knowledge about Native American culture among treatment providers, to increase their knowledge of best practices when working with the Native American population and to increase available services that are targeted specifically for the Native American population.

**Outcomes:**

NARBHA training outcomes were as follows:

1. *Second Mesa on the Hopi Reservation*, held July 9 through July 11, 2008. There were 18 participants in the training. Evaluations were completed by 16 of the 18 participants. All 16 of the evaluations rated the course as "outstanding", which is the highest possible rating on the form.
2. *Window Rock on the Navajo Reservation*, held August 5 through August 8, 2008. There were 9 participants in the training. Evaluations were completed by 8 of the 9 participants. There were 7 "outstanding" ratings and 1 "useful ideas" rating which is one score under "outstanding".

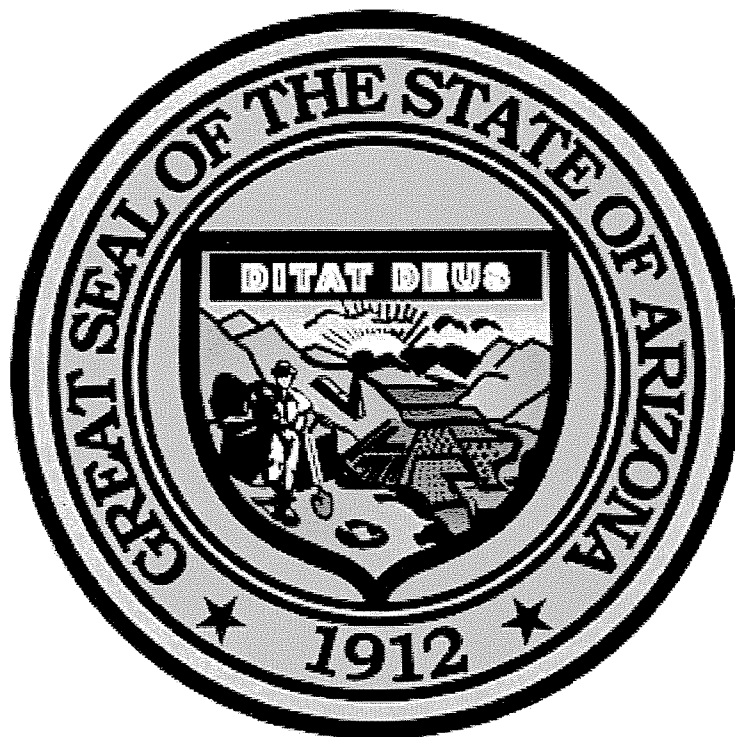
Cenpatico training outcomes are as follows:

1. *Yuma, Arizona, near the Cocopah Indian Reservation*, held August 19-21, 2008; there were 12 participants consisting of providers, RBHA staff, and family/peer support partners.

2. *Globe, Arizona, near the San Carlos Apache Reservation*, held September 16-18, 2008; there were 15 participants consisting of providers and community members of the San Carlos and White Mountain Apache tribes. 11 of the participants rated the training as "5=Outstanding" and 4 participants rated the training as being "4=Useful Ideas."

**Upcoming activities/plans:** NARBHA's plans are to continue to develop the White Bison Program by tribal communities through a grass roots approach while being supported by local behavioral health agencies as well as tribal governments. NARBHA plans to request additional CA-SIG funding to support further *Medicine Wheel & 12 Steps for Youth* trainings for their region.

Cenpatico indicates that this training will be reviewed by tribal member attendees to determine how the program can be adapted and applied to meet the needs of the local tribes. Cenpatico will continue to support the local tribal behavioral health programs in implementing this program within their communities.



**Arizona Department  
of Homeland Security**

**December 10, 2008**

**DIRECTOR**  
Leesa Morrison

**TRIBAL LIAISON**  
Fernando Reyes  
Border and Tribal Liaison



## **Arizona Department of Homeland Security**

### **Progress Report Tribal Leaders Roundtable December 10, 2008**

This progress report provides summaries of AZDOHS statewide and tribal-specific funding programs and recent outreach activities.

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## **Arizona Department of Homeland Security FY09 Homeland Security Grant Program Overview**

### ***1. FY 2009 Operation Stonegarden (OPSG)***

The intent of OPSG is to enhance law enforcement coordination and operations along the borders of the United States and Territories. In FY 2009, OPSG will provide \$60,000,000 in funding to designated localities to enhance cooperation and coordination between law enforcement agencies in a joint mission to secure the nation's borders (Operation Orders are to be submitted to County Sheriff's office). The OPSG Working Groups consist of members from AZDOHS, County Sheriffs, Local Law Enforcement, Tribal Law Enforcement, and Border Patrol and will be in charge of allocating funding once the federal award is available to Arizona.

The Arizona Department of Homeland Security presented the FY09 Operation Stonegarden grant process to State, County, Local, and Tribal Stakeholders in the following sectors:

- December 4, Tucson Border Patrol Sector
- December 5, Yuma Border Patrol Sector

### ***2. FY 2009 State Homeland Security Program (SHSP)***

The intent of the SHSP is to fund activities that address the identified planning, organization, equipment, training, and exercise needs for acts of terrorism and other catastrophic events as outlined in the State Homeland Security Strategy. In addition, SHSP supports the implementation of the National Preparedness Guidelines, the National Incident Management System (NIMS), and the National Response Framework (NRF).

The Arizona Department of Homeland Security presented the FY09 State Homeland Security grant process to State, County, Local, and Tribal Stakeholders in the following locations:

- December 2, Phoenix
- December 3, Snowflake
- December 4, Tucson

***a. FY 2009 Direct Tribal Grant Program (SHSP-Tribal)***

This program sets aside funding exclusively for eligible tribes to enhance homeland security capabilities. Under this program Tribes apply directly to Federal DHS for grant funding. AZDOHS provides Planner assistance in this process.

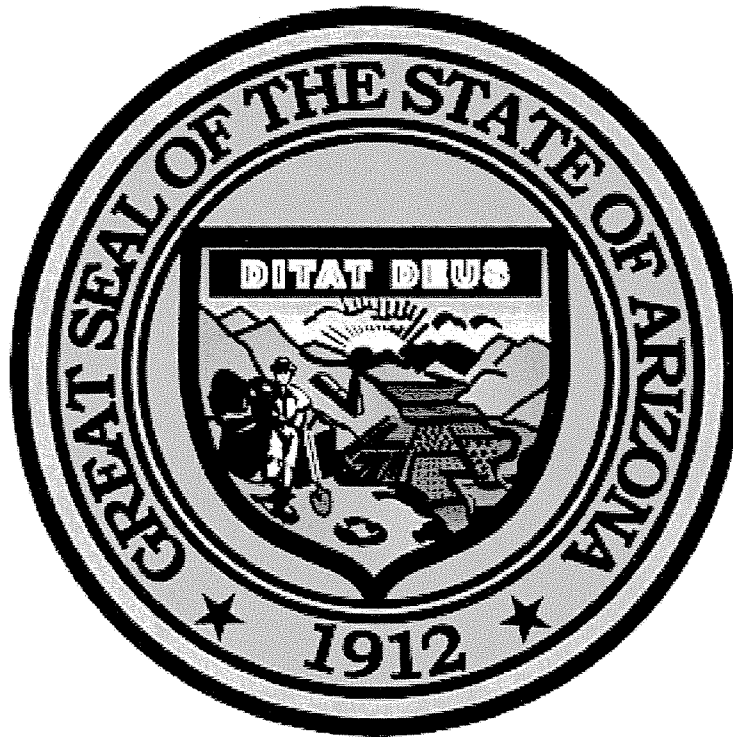
***b. FY 2009 State Homeland Security Grant Program (SHSGP)***

This program allows all State, County, Local, and Tribal government agencies to apply for Homeland Security grant funding.

***c. FY 2009 Urban Area Security Initiative (UASI)***

UASI Program funds are utilized to address the unique planning, organization, equipment, training, and exercise needs within high threat, high-density Urban Areas, and to assist these areas in building an enhanced and sustainable capacity to prevent, protect against, respond to, and recover from acts of terrorism (Pima and Maricopa Counties Only).

For more information on funding opportunities and timelines, please visit [www.azdohs.gov](http://www.azdohs.gov) or contact Fernando Reyes, Border/Tribal Liaison at 602-542-7008 or [freyes@azdohs.gov](mailto:freyes@azdohs.gov).



## **Arizona Department of Juvenile Corrections**

**December 10, 2008**

**DIRECTOR**  
Mike Branham

**TRIBAL LIAISON**  
Marie Bahe  
AA/ADA/EEO Coordinator

JANET NAPOLITANO  
GOVERNOR



MICHAEL BRANHAM  
DIRECTOR

## MEMORANDUM

**TO:** Marnie Hodahkwen, Governor's Policy Advisor for Tribal Affairs

**THROUGH:** Michael D. Branham, Director

**FROM:** Marie Bahe, ADJC Tribal Liaison

**DATE:** December 4, 2008

**SUBJECT:** Liaison with Tribal Nations

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### **Working to Ensure Safer Tribal Communities:**

The Arizona Department of Juvenile Corrections (ADJC) is responsible for juveniles adjudicated delinquent and committed to its jurisdiction by the county juvenile courts. To achieve ADJC's mission to enhance public protection by changing the delinquent thinking and behaviors of juvenile offenders, which includes Tribal youth committed to this department; ADJC, through the management of the state's secure juvenile facilities, provides for the development and provision of a continuum of services to juvenile offenders that includes rehabilitation, treatment, and education.

### **Services Provided to Tribal Communities:**

ADJC recognizes the unique status of tribal governments as being sovereign nations and is committed to the government-to-government working relationships with Arizona's tribal governments to ensure safer communities through successful youth.

- The Kaibab-Paiute Nation Chairwoman requested suicide prevention services assistance for tribal youth in-crisis. ADJC Director Branham initiated and coordinated a multi-agency professional support team from AHCCCS, ADHS, CBHS (a local NARBHA provider), IHS, and the Advisory Council on Indian Health Care. This team met with Kaibab-Paiute Nation leaders in November 2008 to develop the following short and long-term action plans to address issues identified by the Nation: suicide prevention services; assistance from NARBHA; and assistance from ADJC; direct billing for AHCCCS; and residential placement for youth Tribal members. ADJC also provided similar services to the Colorado River Indian Community.

- The ADJC Multi-Disciplinary Team members (comprised of mental health clinicians, educators, community services parole officers, caseworkers, direct care housing unit staff, medical doctors, Tribal Liaison and Attorney General Liaison) are working with the Havasupai Nation and ADES for the transition and aftercare for a Tribal youth and expectant newborn (anticipated birthdate:12/25/2008).
- ADJC has an open invitation to all Tribal juvenile detention facilities for the participation of Tribal youth correction officers to our Pre-Service Corrections Officers training which is especially designed to enhance security and further successful rehabilitation, treatment, and education of adjudicated youthful offenders.
- ADJC Tribal Liaison establishes and maintains positive communication networks with other State Service Tribal Liaisons, Tribal social services professionals, and law enforcement agencies to ensure the smooth transition and aftercare of Tribal youth back into their home communities upon their release from ADJC Secure Care.
- ADJC Investigations Unit cooperates with Tribal Law Enforcement officials to cross report criminal matters that fall under Tribal jurisdiction.
- ADJC Community Services Division visits and inspects residential treatment centers which cater exclusively to Tribal youth who require their services.
- ADJC Tribal Liaison serves as a cultural specialist to aid juvenile justice professionals to address the special needs of Tribal youth in state custody.
- ADJC Inspections & Investigations Unit serves in partnership with Tribal law enforcement professionals and other law enforcement agencies on the Governor's Methamphetamines Task Force.
- ADJC Inspections & Investigations Unit's Intelligence Officer and Gang Intelligence & Team Enforcement Mission (GITEM) Liaison collaborate with law enforcement agencies to include Tribal law enforcement agencies.
- ADJC provides equal access to rehabilitation treatment and education programs to all youth, including Tribal youth adjudicated to ADJC, without regard to race, color, national origin, religion, disability or Tribal affiliation.

ADJC values its partnerships with Tribal Nations, and is committed to working together with Tribes to create rehabilitation, treatment, and education opportunities for Tribal youth to enable them to lead productive lives.

Attachments: ADJC Policy 1302  
ADJC Procedure 1302.01





**Policy: 1302**  
**Chapter: Communications**  
**Rule: Tribal Governments**

**Effective 08/28/06**  
**Replaces: N/A**  
**Dated: N/A**

A.R.S.	A.C.A.	A.A.C
A.R.S. § 41-2804		

Procedure

The Arizona Department of Juvenile Corrections (ADJC) is responsible for juveniles adjudicated to its jurisdiction by county juvenile courts. ADJC is also accountable to the citizens of Arizona including members of Native American Tribes, to ensure public safety through the management of the State's secure juvenile facilities and the development and provision of a continuum of services to juvenile offenders including rehabilitation, treatment, and education. For the purpose of this policy, ADJC welcomes Tribal input and will provide services that support the objectives of the State in the rehabilitation, treatment, and education of Native Americans juveniles; however, the provision of such services shall not be used as a basis for assertion of State authority within Indian Country.

A handwritten signature in black ink, appearing to read "Michael D. Branham".

Michael D. Branham, Director

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**Procedure Index:**

**1302.01**

**Tribal Governments**

**Form Index**

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**Policy: 1302**  
**Procedure: 1302.01**  
**Chapter: Communications**  
**Rule: Tribal Governments**

**Effective: 08/28/06**  
**Replaces: N/A**  
**Dated: N/A**

## **Policy**

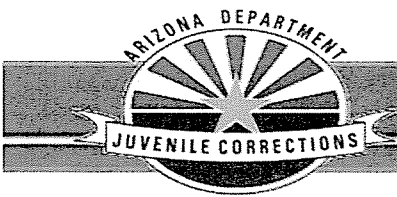
### **Purpose:**

The Arizona Department of Juvenile Corrections (ADJC) recognizes the unique status of tribal governments as being sovereign nations and is committed to the government-to-government relationships with Arizona's tribal governments. In the pursuit of cooperation with Tribes represented in our juvenile populations, ADJC shall not conduct any business activities within Indian Country without the knowledge and expressed consent of appropriate Tribal official(s).

### **Rules:**

1. The **ADJC TRIBAL LIAISON**, with oversight by the agency Director, shall act as the agency's contact person with Tribes represented in our juvenile populations.
2. **ADJC** shall assure a healthier organization that positively impact juveniles, families, and communities we serve by ensuring a Safe Environment; Positive Communications; Respect; and Responsibility.
3. **ADJC** shall provide Cultural Awareness training for all employees to ensure cultural sensitivity/awareness in their interactions with juveniles and employees of diverse cultural backgrounds.
4. **ADJC** shall continue to allow juvenile corrections officers from Arizona Tribes to participate in the ADJC Pre-Service Academy and In-Service Training for direct juvenile contact officers.
5. **ADJC** shall ensure that all juveniles adjudicated to its jurisdiction have equal access to participate in programs, services, and activities which promote their rehabilitation; without regard to race, color, national origin, sex, sexual orientation, religion, or disability.
6. Although the Indian Child Welfare Act (ICWA) applies to cases involving dependency and therefore does not apply to juveniles in ADJC custody; ADJC is nevertheless committed to the spirit of the ICWA law and shall consult with Tribes when out-of-home placement is being considered for Tribal juveniles.
7. **ADJC** shall ensure that all its employees, prospective employees, volunteers, interns, and registry workers are treated equitably and fairly with respect to employment, classification and compensation, benefits, terms and conditions of employment, assignments, promotions, grievances, and disciplinary actions; without regard to race, color, national origin, sex, sexual orientation, religion, disability, age, or veteran status.
8. **ADJC** shall continue to work with Tribal Governments and Native American community services agencies to recruit qualified candidates for consideration to fill job vacancies.

<b>Date:</b>	<b>Approved by Process Owner:</b>	<b>Review Date:</b>	<b>Reviewed By:</b>
08/28/06	Michael D. Branham		



*Safer Communities Through Successful Youth*

**Janet Napolitano**  
Governor

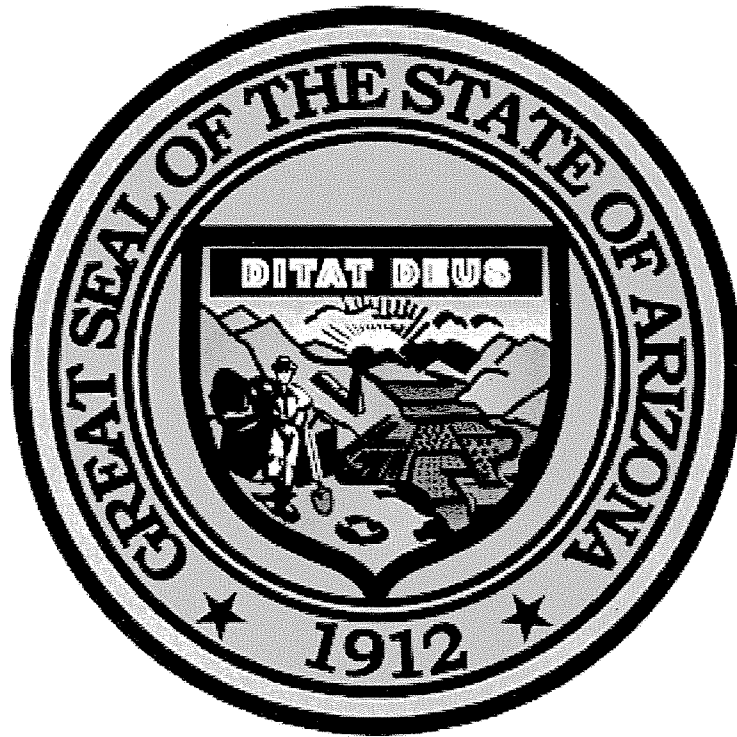
**Michael Branham**  
Director

ARIZONA DEPARTMENT OF JUVENILE CORRECTIONS SECURE CARE POPULATION AS OF DECEMBER 3, 2008						
	Caucasian	African American	Native American*	Hispanic	Other	Mexican National
Maricopa	96	53	6	200	2	10
Pinal	5	5	6	15	0	0
Pima	15	7	2	29	1	0
Greenlee	0	0	0	1	0	0
Graham	6	0	0	5	0	0
Yuma	6	5	2	35	0	2
Mohave	15	0	1	4	0	0
Yavapai	10	0	2	1	0	1
Navajo	3	0	1	0	0	0
Apache	5	0	0	0	0	0
Gila	3	1	0	2	0	0
Coconino	1	0	4	3	0	0
Santa Cruz	0	0	0	2	0	0
Cochise	5	2	0	4	0	0
Total	170	73	24	301	3	13

\*Hopi (2), Pima (1), Quechan (1), Yaqui (2), Yavapai (1), Havasupai (1), Navajo (3), Tohono O'Odham (4), Not Identified(9)

ARIZONA DEPARTMENT OF JUVENILE CORRECTIONS PAROLE POPULATION AS OF DECEMBER 3, 2008						
	Caucasian	African American	Native American*	Hispanic	Other	Mexican National
Maricopa	58	30	9	154	4	19
Pinal	5	2	0	8	0	0
Pima	11	4	2	31	0	1
Graham	3	2	0	1	0	0
Yuma	5	1	2	23	0	1
La Paz	1	0	0	0	0	0
Mohave	25	2	0	10	0	1
Yavapai	7	0	0	3	0	0
Navajo	2	0	0	2	0	0
Apache	1	0	0	2	0	0
Gila	3	0	0	1	0	1
Coconino	1	0	6	5	0	0
Santa Cruz	0	0	0	2	0	2
Cochise	2	0	0	4	0	0
Total	124	41	19	246	4	25

\*Hopi (1), Cocopah (1), American Navajo (9), Not Identified (8)



**Arizona Registrar of  
Contractors**

**December 10, 2008**

**DIRECTOR**  
Fidelis Garcia

**TRIBAL LIAISON**  
Bill Albright  
Tribal Liaison

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## ARIZONA REGISTRAR *of* CONTRACTORS

*Janet Napolitano, Governor*

*Armando A. Contreras, Director*

December 5, 2008

Marnie Hodahkwen  
Policy Advisor for Tribal Affairs  
Office of the Governor  
1700 West Washington  
Phoenix, AZ 85007

Re: Tribal Consultation Policy Annual Report


Dear Ms. Hodahkwen,

During the past year, representatives of the Registrar of Contractors made a presentation at the Governor's Housing Forum held in Flagstaff, Arizona. We provided an overview of the agency and its mission to promote quality construction. We also gave a step by step explanation of the complaint process. We addressed our Tribal Consultation Policy and how it has worked with some tribes to address problems with licensed contractors. We attempted to stress the importance of using licensed contractors and how we can help resolve problems when they are used on tribal lands. We also urged qualified tribal members to become licensed contractors through our agency and pointed out how that can expand their business horizons.

Also during the past year, we successfully handled complaints arising on the Hualapai and Navajo reservations in accordance with our policy. In each of these instances the cooperation between our agency and the tribes' representatives was very smooth and cordial. It was a pleasure to work with representatives who were so willing to make the process work.

We have no Tribal Summit update at this time and we do not receive or expend any gaming revenues.

Sincerely,



William A. Albright  
Assistant Director

Cc: Armando Contreras, Director  
Wilma Himel, Assistant Director

Encl: Tribal Consultation Policy

# **ARIZONA REGISTRAR OF CONTRACTORS COMPLAINTS AGAINST CONTRACTORS ARISING ON TRIBAL LANDS**

---

## **POLICY**

This policy establishes the basic principles governing the Registrar of Contractors' (ROC) relationship with the 21 Tribal governments in the State of Arizona

## **Introduction**

The ROC licenses and regulates the conduct of construction contractors in an effort to promote quality construction throughout the state. Both licensed and unlicensed contractors engage in construction projects in Indian Country. It is not uncommon that the conduct of the contractor may give rise to a claim that the contractor has violated the contracting laws of the state which the ROC is charged to enforce. The ROC will not exercise jurisdiction over unlicensed contracting activities on Tribal lands as the ROC will not enforce state criminal jurisdiction on Tribal lands. The ROC, on the other hand, will exercise jurisdiction over contractors licensed by the agency to entertain complaints alleging violations of the state's contracting laws when the construction project is located on Tribal lands. However, the ROC recognizes the various Tribes' sovereignty over their lands.

## **Handling of Complaints**

### **Criminal Complaints of Unlicensed Contracting**

Upon receipt of a complaint alleging unlicensed contracting activity occurring on Tribal lands, the complainant will be advised that the ROC will not exercise criminal jurisdiction on Tribal lands and the complainant will be referred to the appropriate tribal authorities.

### **Complaints Against Licensed Contractors**

Upon receipt of a complaint against a licensed contractor regarding a construction project occurring on Tribal lands, the receiving office will refer the complaint to the Assistant Director over the Inspections Department who will review the complaint to determine whether it is a complaint which actually arises from workmanship occurring on Tribal lands which would require an intrusion upon those lands to investigate.

If a complaint could require an intrusion upon Tribal lands in order for the agency to properly investigate, the agency, through its Director or an Assistant Director, will contact Tribal authorities to secure their permission to make such an intrusion. If permission is secured, the complaint will be processed as would any other complaint. If the Tribe determines not to grant such permission, the complainant will be so advised and the complaint will be closed. If the agency has already entered into a procedural agreement for handling complaints on a particular reservation, that agreement will be followed. Complaints which may require intrusion on tribal lands include but are not limited to matters

involving workmanship, abandonment, failure to follow plans, specifications and codes, and exceeding license scope.

Complaints which would not require an intrusion upon Tribal lands will be processed in normal course. These would include but not be limited to failure to pay state income taxes, failure to comply with workers' compensation statutes, conviction of a felony and no pay between contractors and material suppliers arising from contracts entered off of and not involving Tribal lands.

### **AUTHORITY**

Duties and Powers of the Director

### **DEFINITIONS**

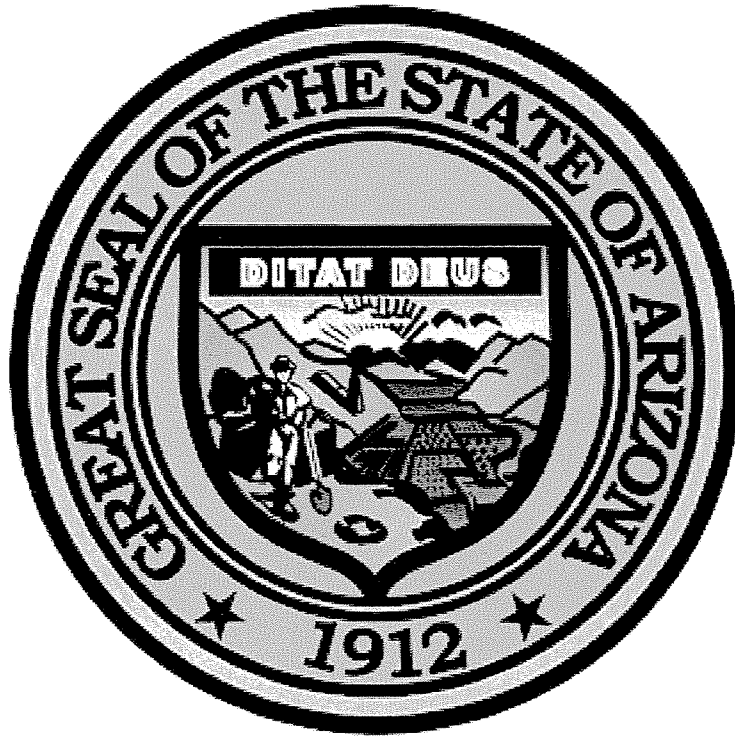
N/A

I, \_\_\_\_\_, have read and acknowledge receipt of this  
(Print Employee Name)

policy on \_\_\_\_\_.  
(Date)

\_\_\_\_\_  
(Signature)

\*Any questions related to this policy should be directed to the Human Resources Department.



**Arizona Office  
Of Tourism**

**December 10, 2008**

**DIRECTOR**  
Margie Emmerman

**TRIBAL LIAISON**  
Dawn Melvin  
Native American Tourism  
Development Manager





**Tribal Summit Progress Report  
Arizona Office of Tourism (AOT)  
June 2008 through November 2008**

**Agency Highlights**

**1. Visitation to Tribal Lands**

During this report period, visits to Indian Country included nine international and domestic tour operators, one journalist and six AOT staff and International representatives.

**2. Public Relations Efforts**

Media value from agency related articles featuring Native American elements published – **\$56,571**

Media value from International articles featuring Native American elements in Germany, UK and Japanese publications – **\$831,835**

**Total Media Value: \$888,406**

**Total Circulation: 2,325,193**

**3. Advertising Values**

AOT introduced new Native American advertisement into its program of work (attached at end of report). The new ad and advertorials ran in **14** publications with a combined circulation of more than **eight million** readers.

**4. Web pages**

Total web pageviews for the Native American pages on AOT's agency Web site [www.ArizonaGuide.com](http://www.ArizonaGuide.com) from April 1 – October 31 – **14,076**

**5. Outreach to the Havasupai Tribe**

AOT has been in contact with the Havasupai Tribe to provide assistance with their recovery efforts. An application for a Rural Tourism Development Grant was submitted by the Tribe to focus on trail rehabilitation. AOT is dedicated to assisting the Havasupai Tribe with a communications plan that will transmit timely information to the appropriate media and travel trade entities about the reopening of tourism activities.

**6. Agency Restructuring**

The agency announced a new organizational structure for two divisions that provides synergies between divisions at AOT and strategically meets the needs of Arizona communities. The Communications and Community Development division

combines community outreach, the Arizona Tourism University (education) program, the local visitor information center program, and community grants with communications. This includes internal communication projects, agency public relations efforts and media inquiries. The Trade and Media Relations division now combines domestic and international trade activities with media relations and public relations activities for both international and domestic markets.

#### **7. Tribal Tourism Advisory Committee (T-TAC)**

T-TAC was established in February 2004. Beginning this year, the committee began to meet bi-annual instead of quarterly. The meetings will be paired with a training activity or speaker to maximize the travel time and budgets of the committee members.

### **Communications and Community Development**

#### **1. Agency Public Relations Efforts**

AOT uses public relations tactics to position itself as the leader in the tourism industry through press releases and direct communication with business writers.

Agency media results:

- 08/01/2008 – Gerald M. Gay, Arizona Daily Star, "*Yaqui Guitarist Building a Legacy*" – value **\$7,052**
- 08/30/2008 – Larry Rodgers, the Arizona Republic, "*Arizona's Song: Project Brings Musicians Together to Create Video Promoting State*" - Gabriel Ayala – Yaqui Guitarist highlighted – value **\$34,846**
- 09/12/2008 – Arizona Capitol Times, "*Casinos Grapple with Economy, See Flat Growth*" – No recorded value
- 09/21/2008 – Cathryn Creno, Arizona Republic, "*Casinos Grapple with Economy, See Flat Growth*" – value **\$14,673**

#### **2. Teamwork for Effective Arizona Marketing (TEAM)**

This matching reimbursement grant program enables Tribes, communities and organizations to promote their tourism offerings through advertising, public relations campaigns, research and strategic planning, and other tourism-related marketing opportunities.

A total of \$1,100,000 in TEAM grant funds was awarded in FY09 to rural and Tribal communities.

#### **Individual Awards to Tribal Communities:**

- Cocopah Indian Tribe – \$10,296
- Fountain Hills/Fort McDowell – \$14,726
- Navajo Nation Tourism Department – \$32,355 (Tribal Partners-Navajo Nation Parks & Recreation, Navajo Arts and Crafts Enterprise, Navajo Hospitality Enterprise)

- Shonto Development Corporation – \$12,115
- Upper Village Moenkopi – \$13,780

#### **Regional Awards with Tribal Partner:**

- Navajo Nation Tourism Department – \$27,236 (region name - Arizona Rocks)
- White Mountain Apache Tribe – \$64,979 (region name - White Mountain Partnership)
- Yavapai-Prescott Indian Tribe – \$87,437 (region name - Prescott Area Coalition for Tourism)

### **3. Arizona Tourism University (ATU)**

AOT's education outreach program includes a series of workshops that provide resources and tools to better assist Tribal communities with tourism marketing, planning and development projects. These **complimentary workshops** are held throughout Arizona. Topics include: *interactive marketing, leveraging and linking grant funds, partnerships, Arizona Centennial, TEAM grant technical assistance workshop, Grand Impressions customer service, research and marketing.* (Workshop schedule provided at end of report.)

This year, ATU launched an online "webinar" to provide training opportunities to communities who have limited travel budgets. These abbreviated workshops provide the same information in an online format. AOT's workshop, *The AOT on the Road: Native American Community Outreach*, was canceled this year because of low registration numbers. A poll of Tribal communities showed they were unable to travel to this full-day workshop. An evaluation of the program will determine whether it will continue to be included.

## **Marketing**

**1. Native American Ad Placement** - June 1, 2008 – November 30, 2008 (print)  
*Smithsonian* – Oct 08 – **Circulation 1,000,000**  
*Native Peoples* – Nov/Dec 08 – **Circulation 50,000**

**2. Print Placements/Advertorials** - June 1, 2008 – November 30, 2008 (print)  
 Native American related topics were mentioned in the following publications:

- *Bon Appetit* – Nov 08 – Antelope Canyon, **Circulation 1,367,867**
- *Smithsonian* – Oct 08 – Besh-Ba-Gowah Archaeological Park, **Circulation 1,000,000**
- Domestic CMG (*National Geographic Traveler, Travel & Leisure, Wall Street Journal*) – Nov 08 – Kai at Sheraton Wild Horse Pass, Navajo Nation, White Mountain Apache Tribe, **Circulation 1,150,000**
- Canada CMG (*Globe & Mail, Toronto Star, Calgary Herald, Vancouver Sun*) – Nov 08 – General Native American Culture Copy, Monument Valley, **Circulation 954,000**

- *Golf Digest* – Nov 08 – Monument Valley, **Circulation 1,600,000**
- *Fall Preprint* – Oct 08 – General Native American Experiences Copy, **Circulation 825,000**
- *Travel & Leisure* – Oct 08 – Sheraton Wild Horse Pass Resort & Spa, We-Ko-Pa Golf Club, **Circulation 950,000**

**Total circulation generated by ad placements: 7,846,867**

### 3. ArizonaGuide.com Statistics

April 1, 2008 - October 31, 2008			
URL	Visits	Views	Avg. Time Spent
<b>Native American Culture</b>	2,326	3,040	1:34
<b>Attractions</b>	379	756	1:21
<b>Casinos</b>	2,764	5,174	1:23
<b>Native Tribes</b>	1,122	1,796	1:59
<b>Tribal Lands</b>	1,275	1,351	1:32
<b>Totals</b>	<b>7,866</b>	<b>12,117</b>	

### 4. Web Stories

Three stories featuring Native American experiences and product offerings were posted online during April 1, 2008 – October 31, 2008 on the AOT consumer Web site at [www.ArizonaGuide.com](http://www.ArizonaGuide.com).

April 1, 2008 - October 31, 2008			
Web Stories	Visits	Views	Avg. Time Spent
<b>How to Shop for Native American Crafts</b>	1,261	1,569	2:41
<b>Great Spirit: Chef Jack Strong of Kai</b>	275	345	2:10
<b>Navajo National Monument</b>	34	45	2:00
<b>Totals</b>	<b>1,570</b>	<b>1,959</b>	

### 5. Photo Shoots

AOT is in communications with the Hopi Tribe to discuss a spring photography shoot. AOT continues to work with Tribes to solicit participation and identify site/subjects. The Hopi Tribe will be the fourth Tribe photographed as part of AOT's goal to acquire professional images that visually depict the culture and heritage of Arizona's Tribal Lands. Photos will be used by AOT to promote tourism experiences to Hopi lands.

## Trade and Media Relations

### 1. Sales Missions

Sales Missions are pre-planned events for an Arizona delegation to call on tour operators/travel agents outside of Arizona. Missions may be a simple and cost-effective delegation going directly to the office of the buyer with information, or may be more complex and expensive with scheduled meal functions and entertainment. Sales missions allow the AOT to take Arizona "on the road" to tour operators and travel agents who may not attend tradeshow.

The following missions included Tribal representatives:

Japanese L.A. Sales Mission on August 6, 2008, included:

- Carolene Ekis, **Antelope Canyon Tours**
- Chief Tsosie, **Antelope Slot Canyon Tours** by Chief Tsosie
- Emmylee Cummings, Lori Cummings and Siadan Henaon, **Navajo Village Heritage Center**
- Amanda Ortega, **The View Hotel inside Monument Valley**

Multi-State Sales Mission to Japan on October 27-30, 2008, included:

- Harold Simpson, **Simpson's Trailhandler Tours** from Monument Valley
- Carolene Ekis, **Antelope Canyon Tours**

### 2. Travel Professional's Familiarization Tours (FAMs)

Familiarization or "FAM" tours and site inspections attract top-producing travel trade professionals to experience Arizona, making them more knowledgeable to "sell" Arizona as a destination. AOT works with numerous partners to plan and produce these trips. Below are FAM tours involving Native American tourism destinations:

- Gioco Viaggi FAM – tour operator from Italy visited **Chinle** and toured **Canyon de Chelly** on June 7-8, 2008. Product Manager Davide Luzzati stayed overnight at the **Holiday Inn in Chinle**.
- AOT International Representative Staff FAM – Hylton Fothergill and Marjorie Magnusson escorted our International Representatives around the state. Jane Dawkins and Kevin Gibson from Hills Balfour Synergy in the United Kingdom and Tania Cancino from Jackson Marketing in Mexico were all in attendance. They visited the **Heard Museum** on July 13, 2008.
- Navajo Nation FAM Tour – Jennifer Sutcliffe participated in a FAM to the **Navajo Nation** to experience its attractions and learn what is new. This FAM, planned by Donovan Hanley with the **Navajo Nation Hospitality Enterprise**, on August 26-28, 2008, included visits to the **Hubbell Trading Post**, **Canyon de Chelly**, **Antelope Canyon**, and newer attractions **The View Hotel in Monument Valley**, **Antelope Point Marina** and the **Explore Navajo Interactive Museum** in Tuba City.

- Canyons and Lakes AAA FAM Tour – Kristy Swanson escorted eight Arizona Automobile Association (AAA) Travel Agents from the East Coast on October 24, 2008. They visited **Cameron Trading Post** and toured **Antelope Canyon** conducted by Antelope Canyon Tours.

### Journalist's Familiarization Tours

AOT works with qualified journalists to produce compelling stories about Arizona that persuade targeted visitors to travel to the Grand Canyon State. During this report period, AOT hosted one individual reporter who focused on Native American culture:

Alexandra Ferguson, freelance, United Kingdom - on assignment for The Daily Telegraph and Telegraph online, itinerary included: **Navajo Nation, Cameron Trading Post, Montezuma Castle National Monument, Wupatki National Monument, Explore Navajo Interactive Museum, Monument Valley, and Canyon de Chelly**

### 4. Travel/Trade E-Newsletter

**The View Hotel** was mentioned in the, *What's New* section of the September/October issue. Twelve people clicked through to the hotel Web site.

### 5. Articles Generated Featuring Native American Attractions

International Media results articles featured in Germany, UK and Japan

- June 3, 2008 issue – publication: *dpa gms*, German press agency, subject: Navajos are building first hotel in **Monument Valley** – No recorded value
- June 3, 2008 issue – publication: [www.dattelner-morgenpost.de](http://www.dattelner-morgenpost.de) (times 20 other websites), Web site of the daily newspaper "*Dattelner Morgenpost*", subject: Navajos are building first hotel in **Monument Valley** - Circulation: 65,000, Value: \$1,093
- July 10, 2008 – publication: [www.touristikreport.de](http://www.touristikreport.de), Web site of travel magazine, subject: Navajos are building first hotel in **Monument Valley** – Circulation: 30,000 per month, Value: \$1,388
- July 11, 2008 – publication: *Badische Zeitung*, daily newspaper, subject: Navajos are building first hotel in **Monument Valley** – Circulation: 152,037, Value: \$10,806
- July 30, 2008 – publication: *Magdeburger General Anzeiger*, weekly newspaper, subject: Navajos are building first hotel in **Monument Valley** – Circulation: 105,391, Value: \$15,451
- August 6, 2008 – publication: *Elle*, women's magazine, subject: playground of nature –mentions **Monument Valley**, the **Hopi** and **Yavapai** reservations among other Arizona travel destinations - Circulation: 215,066, Value: \$400,000
- August 9, 2008 – publication: *Wolkenlos*, travel show of the TV station "VOX", subject: Arizona adventure holidays in the Wild West, and **Monument Valley** – Circulation: Running time: 24 minutes, Value: \$351,836

- August 13, 2008 – publication: *AP*, German press agency, subject: following the tracks of the **Yavapai**, highlights a guided tour that **Fort McDowell Adventures** presents, tourists learn about the life and culture of the tribe – No recorded value
- August 9, 2008 – publication: *Auto & Reise*, magazine of the German Automobile Association, subject: Navajos are building first hotel in **Monument Valley** – Circulation: 97,500, Value: \$3,128
- August 30, 2008 – publication: *Westalen-Blatt*, daily newspaper, subject: A hotel owned by Native Americans, Navajos are building first hotel in **Monument Valley** – Circulation: 129,911 Value: \$3,641
- September 5, 2008 – publication: *Urlaub perfekt*, travel magazine, subject: the first Navajo hotel in **Monument Valley** – Circulation: 130,343, Value: \$1,540
- September 13, 2008 – publication: *Main-Echo*, daily newspaper, subject: how the **Sheraton Wild Horse Pass Resort and Spas** was developed and how it recounts the history of **Pima and Maricopa Indians** – Circulation: 83,515, Value: \$7,550
- October 1, 2008 – publication: *Essentially America*, quarterly magazine, subject: **Native American casinos** as well as **The View at Monument Valley** - Circulation: 50,000, Value: \$3,894
- October 4, 2008 – publication: *Nihon Keizai Shimbun*-Tokyo, Osaka, Nagoya editions, daily newspapers, subject: memory of **Monument Valley** - Circulation: 936,248, Value: \$15,360
- November 1, 2008– publication: *Marie Claire*, monthly magazine, subject: **The View at Monument Valley** - Circulation: 330,182, Value: \$16,151

## 6. Media Mission

The 2008 Media Mission to Germany targeted three leading cities: Hamburg, Berlin and Munich. A total of 20 media calls were completed from June 16-20, 2008. Journalists expressed interest in golf, desert, **Native American inspired spa treatments** and new resorts as well as Arizona's unique selling points that include, but are not limited to, nature and wide open spaces, **Native American Nations**, outdoor recreational activities, attractions such as Route 66, Cowboy Colleges, Western heritage, annual events, etc.

For more information on opportunities for working with AOT, please visit [www.azot.gov](http://www.azot.gov) or contact Dawn Melvin, Native American Tourism Development Manager, at 602-364-3707 or via e-mail at [dmelvin@azot.gov](mailto:dmelvin@azot.gov).



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**ARIZONA**  
GRAND CANYON STATE



# ARIZONA TOURISM UNIVERSITY

## FY 2009 Workshop Schedule

<b><u>Topic Workshops</u></b>	<b><u>Dates and Time</u></b>	<b><u>Location</u></b>
<b>Interactive Marketing</b>	1 – October 28 <sup>th</sup> , 9-12 noon 2 – October 30 <sup>th</sup> , 9-12 noon 3 – November 7 <sup>th</sup> , 1-4 p.m.	1 – White Stallion Ranch - Tucson 2 – Lowell Observatory - Flagstaff 3 – Online Workshop

*The "Four Key Pieces to the Interactive Marketing Puzzle" workshop is an informative and in-depth look at four of the most common interactive / online marketing elements: Search, E-mail, Social and Analytics. Building upon the previous Arizona Tourism University workshop, 'How to Develop an Interactive Marketing Strategy,' this year's workshop will expand upon these '4 Keys' giving attendees real-world examples, tips and tools that can be applied to their current interactive marketing campaigns.*

<b>Leveraging and Linking Grant Funds</b>	1 – December 9 <sup>th</sup> , 9-12 noon 2 – December 11 <sup>th</sup> , 9-12 noon 3 – December 12 <sup>th</sup> , 1-4 p.m.	1 – Chamber of Commerce - Globe 2 – La Posada Hotel - Winslow 3 – Online Workshop
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*This workshop is a guide to writing successful grant applications and effectively managing the grant process. Experts will provide insight into funding, application and review procedures, as well as general tips on preparing competitive proposals. Information will also be provided on a variety of grant funding and support sources.*

<b>Partnerships</b>	February 2009	1 – Southern AZ 2 – Northern AZ 3 – Online Workshop
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<b>Arizona Centennial</b>	February 2009	1 – Southern AZ 2 – Northern AZ 3 – Online Workshop
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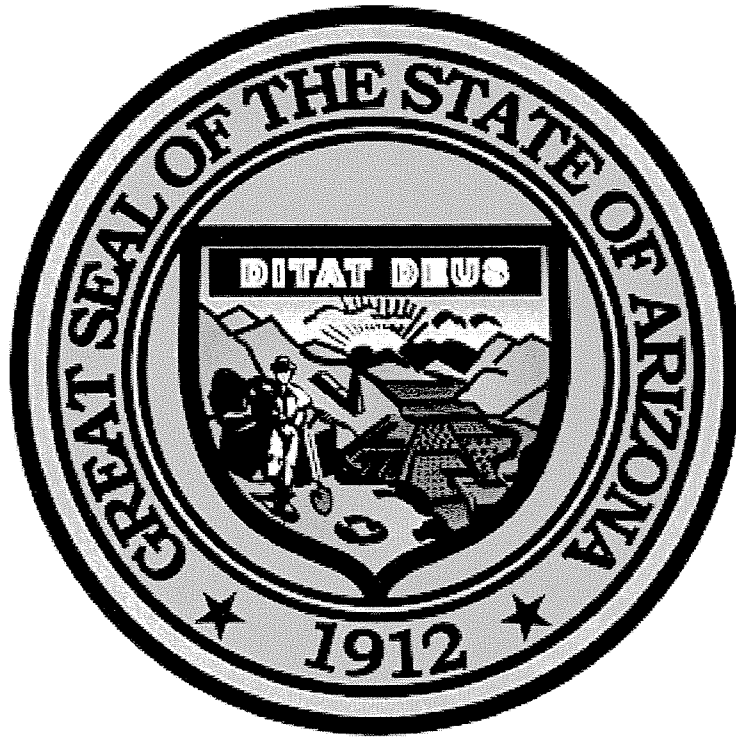
<b>TEAM Grant Technical Assistance Workshop</b>	March 2009	1 – AOT and Online 2 – AOT and Online
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<b>Grand Impressions</b>	February 2009	TBD
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<b>Research</b>	April/May 2009	1 – Southern AZ 2 – Northern AZ 3 – Online Workshop
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<b>Marketing</b>	April/May 2009	1 – Southern AZ 2 – Northern AZ 3 – Online Workshop
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*Stay tuned to AOT In Action for further updates.  
If you are not currently receiving AOT In Action and would like to,  
please send your contact information to Meghan Dorn at [mdorn@azot.gov](mailto:mdorn@azot.gov)*



## **Arizona Department Of Transportation**

**December 10, 2008**

**DIRECTOR**  
Victor Mendez

**TRIBAL LIAISON**  
Don Sneed  
Senior Planner/Tribal Coordinator  
Transportation Planning Division

**Arizona Department of Transportation**  
**TRIBAL CONSULTATION POLICY**  
**ANNUAL REPORT**  
**December 2007 - November 2008**

December 1, 2008

Prepared by



Arizona Department of Transportation  
Multimodal Planning Division  
206 South 17th Avenue, MD 310B  
Phoenix, AZ 85007

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## ADOT TRIBAL CONSULTATION BACKGROUND

### Tribal Land in Arizona

There are 22 federally recognized Indian Tribes and Native Nations with reservation land in Arizona. This tribal land encompasses approximately 27,736,000 acres or 28% of Arizona's land base. Only the San Juan Southern Paiute Tribe currently does not have a reservation land base, however, it is in the process of placing several thousand acres in federal trust status. Also, although headquartered out of New Mexico, the Pueblo of Zuni has approximately 12,000 acres of reservation land located in eastern Arizona. Table 1 identifies the Indian Tribes and Native Nations in Arizona.

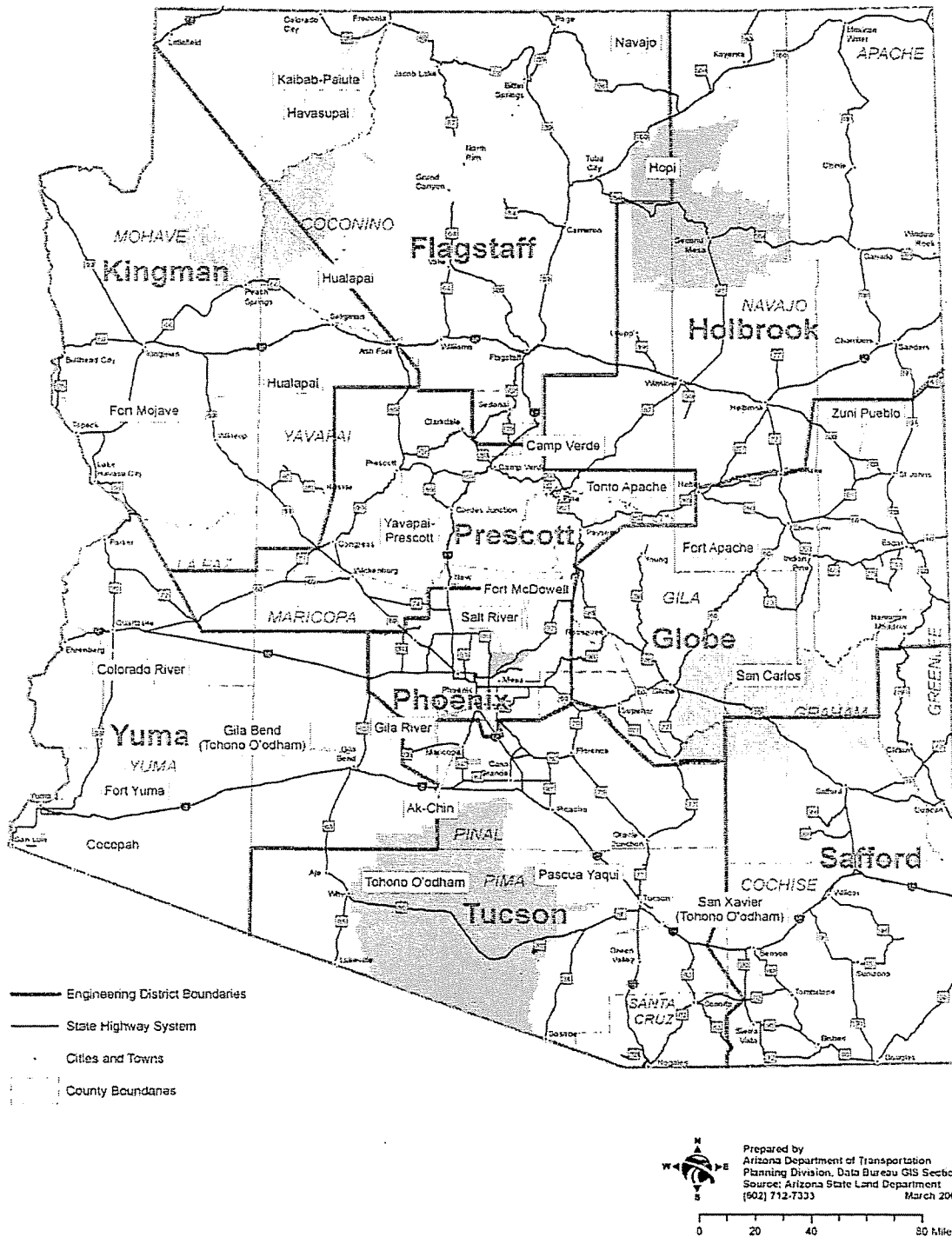
**TABLE 1**  
**The 22 Indian Tribes and Native Nations in Arizona**

- |                                  |   |
|----------------------------------|---|
| • Ak-Chin Indian Community       | • Navajo Nation                             |
| • Cocopah Indian Tribe           | • Pascua Yaqui Tribe                        |
| • Colorado River Indian Tribes   | • Pueblo of Zuni                            |
| • Fort McDowell Yavapai Nation   | • Salt River Pima-Maricopa Indian Community |
| • Fort Mojave Indian Tribe       | • San Carlos Apache Tribe                   |
| • Fort Yuma Quechan Indian Tribe | • San Juan Southern Paiute Tribe            |
| • Gila River Indian Community    | • Tohono O'odham Nation                     |
| • Havasupai Tribe                | • Tonto Apache Tribe                        |
| • Hopi Tribe                     | • White Mountain Apache Tribe               |
| • Hualapai Tribe                 | • Yavapai-Apache Nation                     |
| • Kaibab Band of Paiute Indians  | • Yavapai-Prescott Indian Tribe             |

### Arizona State Highway System

The Arizona Department of Transportation (ADOT) was established in 1974 and is responsible for planning, developing, maintaining, and operating state transportation facilities for the efficient movement of people and products by surface and air throughout Arizona. Within the State, multi-modal transportation systems cross numerous jurisdictional boundaries. The State Highway System (SHS) includes 6,801 route miles of roadway and of this about 88% of the system's roadways are situated within rural areas with the remainder in urban areas. The SHS also includes 1,324 miles or 20% that traverse Native Nation/Tribal lands. In addition, there are 20 airports maintained and operated by the Native Nation/Tribal Governments. Thus, the State, Native Nations and Tribes share a mutual desire to work together for the common purpose of protecting the health, safety and welfare of the traveling public in Arizona through a continuously improving working relationship. The map on the following page shows the locations of tribal reservation land in comparison to the SHS, county boundaries and ADOT Engineering District Boundaries. Table 2 identifies the SHS mileage per reservation according to the Arizona Transportation Information System database.

## American Indian Reservations and Engineering District Boundaries



**TABLE 2**  
**2007 State Highway System**  
**Road Mileage on Tribal Land**

TRIBE / RESERVATION	Miles
Ak-Chin Indian Community / Ak-Chin Indian Reservation	7.977933211
Cocopah Tribe / Cocopah Indian Reservation	1.522222316
Colorado River Indian Tribe / Colorado River Indian Reservation	12.18263399
Fort McDowell Yavapai Nation / Fort McDowell Indian Reservation	8.685578228
Fort Mojave Indian Tribe / Fort Mojave Indian Reservation	4.324343761
Fort Yuma Quechan / Fort Yuma Indian Reservation	0.00
Gila River Indian Community / Gila River Indian Reservation	115.8537132
Havasupai Tribe / Havasupai Indian Reservation	0.00
Hopi Tribe / Hopi Indian Reservation	91.39815033
Hualapai Indian Tribe / Hualapai Indian Reservation	17.87473123
Indian Allotments*	15.88984045
Kaibab Band of Paiute Indians / Kaibab-Paiute Indian Reservation	16.46508498
Navajo Nation / Navajo Indian Reservation	687.9534741
Pascua Yaqui / Pascua Yaqui Indian Reservation	0.00
Salt River Pima-Maricopa Indian Community / Salt River Indian Reservation	42.10061339
San Carlos Apache Tribe / San Carlos Indian Reservation	52.43249182
San Juan Southern Band of Paiute Indians	0.00
Tohono O'odham Nation / Tohono O'odham Indian Reservation	101.519535
Tohono O'odham Nation - San Xavier District	16.13853232
Tonto Apache / Tonto Apache Indian Reservation	0.00
White Mountain Apache Tribe / Fort Apache Indian Reservation	129.2049317
Yavapai-Apache Nation / Yavapai-Apache Indian Reservation	0.325910738
Yavapai-Prescott Indian Tribe / Yavapai-Prescott Indian Reservation	1.965272524
Zuni Tribe	0.514548277
<b>TOTALS</b>	<b>1324.329541</b>

Source: Arizona Transportation Information System (ATIS Roads), July 2007.

Notes: The data was extracted based on the 2005 shapefile of the Indian reservation boundaries and the county boundaries.

\*Approximately .5 miles of allotments are on San Carlos with the remainder of the 15.9 miles on Navajo Nation

*The Arizona State Highway System includes 6,801 route miles of roadway. Approximately 1,324 route miles or 20% of the SHS traverse tribal land. The illustration of these facts provides the basis of the need for the state to adequately consult, communicate, and cooperate with tribal governments to address the growing needs of the traveling public on and off tribal land.*

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## **Federal Mandates**

Although not all-inclusive, the following references cite several of the major federal legislative actions affecting statewide and tribal transportation planning and project development processes.

Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA); Transportation Efficiency Act for the 21st Century (TEA-21); and the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)

Since the early 1990's the Federal Government has passed three transportation legislative acts that specifically impact statewide and tribal transportation project development processes, they include "ISTEA" in December 1991; "TEA-21" in June 1998; and "SAFETEA-LU" in August 2005. Consequently, as part of these Acts and pertaining to the statewide transportation planning process, States are required "... to consider the concerns of Indian tribal governments...that have jurisdiction over land within the boundaries of the State" (23 U.S.C. 135(d)(2)). States are also required to consult with Indian tribal governments and the Secretary of the Interior in the development of the Statewide Long-Range Transportation Plan and the State Transportation Improvement Program "with respect to each area of the State under the jurisdiction of an Indian tribal government..." (23 U.S.C. 135(e)(2)(C) and 135(f)(1)(B)(iii)).

The current transportation planning legislation emphasizes cooperative planning and the opportunity for those interested to participate and provide input into the transportation decision making process. In order to carry out cooperative planning and to comprehensively address transportation issues on and adjacent to Indian reservation land, the tribal governments, Bureau of Indian Affairs, State, Metropolitan Planning Organizations, Councils of Government, and local governments are all required to coordinate their efforts.

USDOT Order 5301.1 - Department of Transportation Programs, Policies and Procedures Affecting American Indians, Alaska Natives and Tribes

USDOT Order 5301.1 of November 16, 1999, directs USDOT agencies to build more effective working relationships with Native Americans. Its purpose is to ensure that programs, policies, and procedures administered by the Department are responsive to the needs and concerns of American Indians, Alaska Natives and tribes. The Order is comprised of 17 points of policy and specific guidelines with regard to how the USDOT will conduct communication and consultation with Nave Nations and Indian Tribes.

Executive Order 13175 - Consultation and Coordination with Indian Tribal Governments

Executive Order 13175 of November 6, 2000 establishes regular and meaningful consultation and collaboration with tribal officials in the development of Federal policies that have tribal implications, to strengthen the United States government-to-government relationships with Indian tribes, and to reduce the imposition of unfunded mandates upon Indian tribes. It also supplements the Executive Memorandum of April 29, 1994, on Government-to-Government Relations with Native American Tribal Governments.



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## Title VI and Executive Order 12898 - Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations

Title VI of the Civil Rights Act of 1964 and related laws assure that individuals are not excluded from participation in, denied the benefit of, or subjected to discrimination on the basis of race, color, national origin, age, sex, and disability. Executive Order 12898 - Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations, established environmental justice as a federal government priority that directed all federal agencies to make it part of their mission that program, policies, and activities not have a disproportionately high and adverse human health and environmental effect on minority and low-income populations.

ADOT has issued a document titled *Guidance on Title VI and Environmental Justice* to provide information on insuring that Title VI and Environmental Justice factors are considered in project development, environmental assessments, and environmental impact statements. Although the guidance is for projects in the development and environmental stages, the general approach outlined is used to identify related issues for potential projects analyzed in the planning process.

### Federal Legislative Acts

The National Historic Preservation Act (NHPA) requires consultation with Indian Tribes concerning places of traditional religious and cultural significance. Consultation with Tribes is also required for those that have assumed historic preservation duties as Tribal Historic Preservation Offices (THPO).

The National Environmental Policy Act (NEPA) requires tribal consultation concerning impacts to sacred sites and on the mitigation of actions to sites of concern to Tribes. Such impacts involve the social and cultural relationship of people to the physical environment.

The Archaeological Resources Protection Act (ARPA) is directed at protecting archaeological sites. It requires Federal agencies to notify Tribes of excavation on federal land that will include sites of religious and cultural importance to Tribes and prohibits unauthorized excavation, removal, or damage of archaeological resources that are at least 100 years old located on Federal or Indian lands.

The Native American Graves Protection and Repatriation Act (NAGPRA) requires consultation with Tribes pertaining to repatriation of human remains and associated funerary items. Consultation is required to determine the means of transfer for repatriated items to Tribes showing genetic or cultural affiliation with those remains and artifacts. Regulates excavation of such remains and artifacts on federal or Indian land, provides for a minimum 30-day hold on earthmoving activities that cause inadvertent discovery of such remains and artifacts.

The American Indian Religious Freedom Act (AIRFA) is a joint resolution of Congress declaring that the U.S. government will protect the inherent rights of Indian Tribes to the free exercise of their traditional religions. Requires agencies to consult with Tribes when any action is contemplated that might affect the practice of traditional religions and includes the places and physical objects needed for religious practice.

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## Tribal Transportation Consultation in Arizona

Through various meetings and forums Tribal Officials and representatives in Arizona have expressed concerns that they have with the state transportation system as it affects the road systems within and adjacent to their communities. In order to address these concerns as well as federal legislative requirements in the statewide transportation planning and project development processes, the issues are documented by ADOT for incorporation into project reports. Pertinent information is also distributed to key ADOT officials and representatives relative to projects that require tribal coordination and consultation follow up. This process has provided ADOT with a comprehensive understanding of Arizona tribal transportation concerns and needs. In addition, ADOT's efforts to address tribal transportation concerns and consultation are carried out in accordance with the Governor's Executive Order on Consultation and Cooperation with Arizona Tribes and ADOT's Department-Wide Native Nation/Tribal Government Consultation Policy.

### Governor's Quarterly Tribal Consultation and Executive Order 2006-14 Consultation and Cooperation with Arizona Tribes

From 2003 to 2007 Governor Napolitano held quarterly tribal summits with the Arizona Tribal Leaders to discuss various statewide issues of concern to the Tribes. In March 2004 a *Tribal Summit on Transportation* was held during which several themes were identified for follow-up by ADOT. ADOT regularly monitors its efforts to address the themes and provides a written quarterly report to the Governor's Office for distribution to the Tribal Leaders. Additionally, as a result of discussion at the Governor's Summits, Tribal Leaders expressed the need for all state agencies to adopt consultation policies to guide the continuing government-to-government relationship between the State and Tribes.

On September 14, 2006 Governor Napolitano issued *Executive Order 2006-16 Consultation and Cooperation with Arizona Tribes*. The Executive Order directs all executive branch agencies to: (1) develop and implement tribal consultation policies to guide their work and interaction with federally recognized Tribes in Arizona; (2) designate a member of their staff to assume responsibility for implementation of the policy and to act as a point of contact for tribal issues; (3) review their tribal consultation policy each year; and (4) submit an electronic report annually to the Governor, State Legislature and Tribal Leaders that describes all actions undertaken to implement the policy.

ADOT is in compliance with the Executive Order as described below:

1. ADOT MGT-16.01 Department-Wide native Nation/Tribal Government consultation Policy was adopted on September 1, 2006.
2. ADOT designated its full-time Senior Planner/Tribal Coordinator from the ADOT Multimodal Planning Division as its staff member with oversight of policy implementation and to act as ADOT's point of contact.
3. ADOT reviewed its Tribal Consultation Policy during the period of June to November 2008 and it was reissued with a new review date of November 19, 2008.
4. ADOT completed its Tribal Consultation Annual Report for the period of December 2007 to November 2008 and submitted it to the Governor's Offices for distribution to the State Legislature and Tribal Leaders.

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In May 2007 Governor Napolitano restructured her quarterly Tribal Summits and initiated the process of holding quarterly Tribal Leader Roundtable Meetings. These Meetings continue to be ongoing and are conducted in a manner that provides free flowing discussion with the opportunity for Tribal Leaders and the Governor to introduce a variety of topics of concern. The change was also designed to give the Governor and Tribal Leaders an opportunity to have more in depth discussions and to identify more guidance on the content and substance of the discussion topics.

#### ADOT MGT-16.01 Department-Wide Native Nation/Tribal Government Consultation Policy

ADOT's tribal consultation policy was adopted on September 1, 2006 taking into consideration the Governor's impending Executive Order and the Federal legislation requirements for state departments of transportation to coordinate, cooperate and consult with Native Nation/Tribal Governments in statewide and metropolitan transportation planning processes. This is in addition to addressing environmental, cultural, historic, natural and human resource issues during the implementation of transportation programs and construction/maintenance projects impacting Native Nation/Tribal reservations and aboriginal lands within the State boundaries.

Since its establishment in 1974, ADOT has continually implemented intergovernmental relations processes to carry out its responsibilities. However, this policy is intended to provide additional guidance to ADOT personnel when working with the Native Nations/Tribal Governments in Arizona. Furthermore, the consultation procedures outlined in the Policy provide ADOT and the Nations/Tribes a basis for mutual understanding as appropriate agreements are carried out to address State and Tribal Transportation issues, needs and concerns. Both the State and the Native Nation/Tribal Governments share a mutual desire to coordinate the implementation of their respective multi-modal transportation mission and goals.

#### ADOT Tribal Consultation Policy Priorities

ADOT respects the unique and continuous existence of each Native Nation's and Tribal government's values, culture, codes, laws; and works to address the following 12 policy priorities.

1. Support the strengthening of Native Nation/Tribal Government capacity for planning, development, construction, maintenance, and operation of transportation facilities under Nation/Tribal jurisdiction.
2. Commit to developing cooperative relationships with the Native Nation/Tribal Governments in Arizona, and respect and consider their transportation concerns.
3. Not to solicit and assert claim to Federal resources that would otherwise be provided directly to Native Nations/Tribal Governments, unless an impacted Nation/Tribe gives consent.
4. Maintain and operate State owned transportation infrastructure within Native Nation/Tribal lands in the best interest of the State while respecting Nation/Tribal and local communities.
5. Maintain the appropriate working relationships with Native Nation/Tribal Government elected officials and staff to assure the continuous operation of their respective transportation systems.
6. Consult with Native Nation/Tribal Governments during the transportation planning processes and implementation of the statewide transportation improvement plan.

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7. Assist Native Nation/Tribal Governments to implement transportation programs by providing technical assistance, sharing data, conducting joint Nation/Tribal and State projects, and cooperatively resolving transportation issues to the extent resources allow.
  8. Enter into Intergovernmental Agreements, Joint Project Agreements, Memoranda of Agreement, or Memoranda of Understanding when considered mutually appropriate by ADOT and an interested Native Nation/Tribal Government.
  9. Coordinate with Native Nation/Tribal Governments in Arizona to identify available resources to jointly or individually fund projects to benefit the State and Nation/Tribal communities.
  10. Conduct training and partnering efforts, when appropriate and as resources allow, encouraging and improving State Departmental/Native Nation/Tribal Government understanding and communication.
  11. Provide early notification to Native Nations/Tribal Governments about decisions that may affect them.
  12. Share appropriate technical information and data with Native Nations/Tribal Governments in accordance with established ADOT policy.

#### **ADOT Statewide, Regional and Local Tribal Consultation, Cooperation and Coordination**

The Safe, Accountable, Flexible, Efficient Transportation Equity Act (SAFETEA-LU) mandates that all state DOT's support a statewide transportation planning process that provides for consideration of projects and strategies such as long-range plans and transportation improvement programs. In addition, Arizona Revised Statute 28-506 requires that ADOT prepare a long-range statewide transportation plan. The following highlights several of the processes that are underway to result in development of the Arizona Long Range Transportation Plan as well as regional, local and tribal consultation, cooperation and coordination processes.

#### **Building a Quality Arizona - Statewide Transportation Planning Framework**

Governor's Executive Order 2008-02 (superseding EO 2007-02) directs ADOT to produce: a) a draft list of critical transportation needs and representative projects to bring about sustainable development patterns through the year 2030; b) a consensus-based final list of needs and representative projects; and c) Regional Transportation Framework Plans that will include short- and long-range transportation projects necessary to further sustainable development patterns through the year 2050. This Governor's initiative is titled Building a Quality Arizona (BQAZ) - Statewide Transportation Planning Framework.

The Arizona State Transportation Board allocated resources for the BQAZ project. The BQAZ work plan basically involves development of a critical needs definition, implementation of regional framework planning, and development of a statewide planning framework. Both the critical needs definition and regional framework planning processes were initiated on concurrent tracks in January 2008 and the entire process is expected to be completed by September 2009. The ADOT Multimodal Planning Division is overseeing the technical aspects of the Framework process and has retained a management consultant and four regional framework consultants.

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Working in collaboration regional transportation planning entities, transit organizations, tribal governments, land management agencies, conservation groups, business and community leaders, the Governor's Office, ADOT, and local/regional leaders from across the state have initiated development of the Statewide Transportation Planning Framework that includes transportation alternatives and integrates them with land use and economic planning and development. Four Regional Framework Studies will be completed and used to create the Statewide Planning Framework Plan.

In part the success of the BQAZ Project is dependent on a strong partnership with tribal governments statewide. Therefore the State's work effort includes extensive outreach efforts that provide numerous opportunities for tribal governments to participate and provide input. These outreach efforts include tribal stakeholder interviews, focus group sessions, public meetings and the development of a list of critical transportation needs within tribal lands. Other statewide activities currently underway include Smart Growth input in to the Framework Evaluation Criteria, development of a 2030-2050 travel demand model, interface sessions with Bordering States and Mexico, and development of a rail framework study.

#### *BQAZ Critical Needs Definition Work Element*

In December 2007 ADOT completed and submitted a *Report on Tribal Transportation Issues and Needs* to the Governor's Office based upon tribal input received during the Governor's Tribal Summits on Transportation and Growth. The purpose of the Report was to provide preliminary information for consideration on tribal transportation issues and needs. This information along with additional input from tribal officials resulted in the development of a formal list of Tribal Critical Needs. The Critical Needs List also included transportation projects identified through the Bureau of Indian Affairs - Indian Reservation Roads Transportation Program for each Tribe as well as projects on State and County road systems within tribal land areas.

A Statewide Preliminary Critical Needs Definition report was completed in May 2008. The report contained information pertaining to the process of identification of critical needs, identification of the year 2030 Identified Improvement Needs Delineation cost of \$162.3 billion, and the total Preliminary Critical Needs cost of approximately \$42.6 billion. Among other topics the report discusses Increased Mobility and Connectivity for Tribal Governments, and Tribal Identified Improvements.

In line with the Preliminary Critical Needs Definition, a Statewide Transportation Investment Strategy report was completed. The Strategy includes a multimodal balance of: 1) strategic highways, 2) rail elements consisting of intercity, commuter and light rail to connect urban regions, and 3) public transportation for smaller cities, tribal communities and rural areas. It also includes opportunities to preserve open space and maintain wildlife habitat connectivity, stimulate transit-oriented development, foster walkable/bikeable communities and provide additional funding sources for the transportation needs of local/tribal communities and counties.

#### *BQAZ Regional Framework Study Work Element*

The long-range focus of the Regional Framework Studies is unique and when compiled in to the overall Statewide Planning Framework Plan will identify the state's needs in the 2030-2050 timeframe. The four Studies will look at ways to plan for growth by strengthening the link between land use, community development and economic patterns of each region, and their interrelated transportation needs for future sustainable mobility and continuing enhancement of Arizona's quality of life. Regional activities currently

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underway include the development of framework formulate and scenario alternatives. Also the first round of BQAZ Regional Community Workshops was completed during the March-April timeframe and a second round of Workshops was completed in November 2008. The final phase of the Regional Framework Study Work Element is to develop multimodal recommendations and an implementation program. This final phase will occur during the January-May 2009 timeframe.

#### State-Tribal Transportation Planning

The ADOT Planning Assistance for Rural Areas (PARA) Program, formerly the ADOT Small Area Transportation Study (SATS) Program, uses funding from the federal Statewide Planning and Research (SPR) Program to provide technical planning assistance to tribal and local governments. For tribes the PARA Program can develop an update to an existing tribal transportation plan or address a specific transportation planning need. The project work plan conducts an analysis of the community transportation system facilities and develops a recommended transportation implementation plan. Under the PARA Program, ADOT provides 100% of planning study costs and project management oversight in coordination with tribal planning officials.

#### Metropolitan Planning Organization and Council of Government Planning

Tribal government officials are encouraged to become members and participate in the regional planning process conducted by the Councils of Government (COGs) and the Metropolitan Planning Organizations (MPOs). When membership dues are paid (where required) this provides the tribes a means of participating on the COG/MPO Regional Boards/Councils and committees thereby allowing the tribes an opportunity to vote on transportation issues and projects in the region. Some tribes do have sovereignty concerns and/or concerns with the membership dues required by their regional COG or MPO and thereby opt not to participate at that level. However, even if they aren't paying members tribes are encouraged to participate at committee meetings in a non-voting capacity. Current tribal membership/participation on Arizona COGs and MPOs includes:

##### Metropolitan Planning Organizations

- Central Yavapai Metropolitan Planning Organization (CYMPO) – No tribal membership - Yavapai-Prescott Tribe participates at committee meetings.
- Flagstaff Metropolitan Planning Organization (FMPO) – No tribal membership or participation.
- Maricopa Association of Governments (MAG) – Fort McDowell Yavapai Nation, Gila River Indian Community, and Salt River Indian Community are members.
- Pima Association of Governments (PAG) – Pascua Yaqui Tribe and Tohono O'odham Nation are members.
- Yuma Metropolitan Planning Organization (YMPO) – Cocopah Tribe is a member.

##### Councils of Government

- Central Arizona Association of Governments (CAAG) – No tribal membership – Ak-Chin Indian Community, Gila River Indian Community, San Carlos Apache Tribe, and White Mountain Apache Tribe participate at committee meetings.
- Northern Arizona Council of Governments (NACOG) – No tribal membership – Navajo Nation, Hopi Tribe and White Mountain Apache participate at committee meetings.
- SouthEastern Arizona Governments Organization (SEAGO) – No tribal membership or participation.

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- Western Arizona Council of Governments (WACOG) – No tribal membership – Hualapai Tribe and Colorado River Indian Tribes participate at committee meetings.

#### Direct Tribal Input into the Planning and Programming Process

ADOT works to ensure that tribal officials/staff are represented on its various statewide/regional program and project technical advisory committees. This representation provides tribes an opportunity to have direct input into development of the policy aspect of transportation planning. ADOT also works to encourage tribal attendance and input at the monthly State Transportation Board meetings. This takes into consideration that the Board makes final decisions on projects that will be funded in the State Five-Year Highway Construction Program and the State Transportation Improvement Program (STIP).

#### ADOT Engineering Districts

Within Arizona ADOT has established ten engineering districts headed by District Engineers (DE) and supported by operation and maintenance personnel who consult at the local level with tribal governments. The DE's or their representatives regularly attend tribal transportation committee meetings, local community meetings, or meet on an as-needed basis with tribal officials to address transportation issues, construction project implementation, and highway operation/maintenance.

#### ADOT Tribal Coordinator/Liaisons

There are several designated tribal coordinators/liaisons within ADOT. They are located in the Multimodal Planning Division, Environmental and Enhancement Group, and Right-of-Way Section. These liaisons/coordinators work closely with tribal officials and personnel to address specific types of issues within their realm of expertise. Tribal staff historically worked most closely with the ADOT DE's, however, they are now branching out to contact the ADOT tribal coordinators/liaisons as well. Oftentimes, there is collaboration between the DE's and tribal coordinators/liaisons to address certain issues.

#### ADOT Historic Preservation Tribal Consultation

In August 2004 the ADOT Environmental and Enhancement Group developed the ADOT Historic Preservation Handbook to ensure that all construction and maintenance projects associated with the Arizona State Highway System consider project-related effects to significant historic and prehistoric cultural resources and that these undertakings are in compliance with Federal and State Historic Preservation laws. The Handbook serves as a process, procedures, policy, and training manual. It is a tool that provides step-by-step guidelines for the ADOT Historic Preservation Team (HPT) Specialist, and also presents the cultural resource process from the point of view of other groups that HPT interacts with, such as, NEPA Planners, Transportation Enhancement, Local Government, Technical Specialists, and On-call Consultants. The Handbook outlines various processes to undertake consultation with tribal governments according to the Section 106 guidelines, those basically include:

- Submittal of consultation letters to the Tribal Leader and Tribal Historic Preservation Offices (THPO), as appropriate.
- Develop a project work plan to mitigate cultural resource impacts in accordance with state and/or federal laws and in consultation with the appropriate tribal entities and land managing agencies.
- Prepare and negotiate either a Memorandum of Agreement (MOA) or Programmatic Agreement (PA) in

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order to satisfy cultural resources tribal consultation requirements as related to transportation enhancement projects or local government projects.

- Determine whether a project is a Federal undertaking or State undertaking and take appropriate steps to complete the consultation process.
- Determine BIA involvement in the consultation process.
- Maintain contact information for the Agencies and Tribes including entries for the tribal representatives to whom consultation is addressed, and to whom reports are transmitted.

#### Arizona Tribal Strategic Partnering Team

The Arizona Tribal Strategic Partnering Team or "ATSPT" is supported by the ADOT Partnering Office as a means of improving state-tribal relations in transportation. ATSPT brings together representatives from state, tribal, federal and local agencies to address tribal-related transportation issues. ATSPT meets on a quarterly basis to carry out its strategic plan and also conducts an Annual Statewide Tribal Transportation Forum. ATSPT encourages active participation in its partnering effort by all tribes and transportation stakeholders in Arizona who have the desire to guide implementation of transportation policies and processes between Native Nations, Tribal Governments and the State of Arizona. More information can be obtained at the Arizona Tribal Transportation website: [www.aztribaltransportation.org](http://www.aztribaltransportation.org).

ATSPT active participating agencies include:

- ADOT Environmental and Enhancement Group
- ADOT Natural Resources Management Section
- ADOT Partnering Office
- ADOT Policy and Governmental Affairs Office
- ADOT Public Relations Office
- ADOT Right-of-Way Group
- ADOT Multimodal Planning Division
- Apache County District One - Road Department
- Bureau of Indian Affairs - Western Regional Office
- Bureau of Indian Affairs - Navajo Regional Office
- Colorado State University - Tribal Technical Assistance Program
- Federal Highway Administration - Arizona Division.

*"ATSPT builds relationships among state, tribal, federal and local governments to develop strategies that address state and tribal transportation issues."*

#### Arizona Statewide Tribal Transportation Forum and Safety Summit

The 2008 Arizona Tribal Transportation Forum and Safety Summit were held on May 13-15, 2008 at the Francisco Grande Hotel in Casa Grande, AZ. ADOT, the Federal Highway Administration, the Tribal Technical Assistance Program at Colorado State University, and the Arizona Tribal Strategic Partnering Team co-sponsored this annual event. The key outcomes of the event included:

- Presentations on tribal transportation perspectives, programs and projects
- Presentations on federal and state transportation program and projects
- Introduction of key transportation safety stakeholders
- Identification of tribal traffic safety issues and needs
- Increased collaborative working relationships



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- Increased tribal capacity to access funding

Approximately 130 participants attended making it the largest and most successful statewide tribal transportation event so far in Arizona. Participants represented eleven tribes, city, state, county, and federal agencies, as well as the Inter Tribal Council of Arizona, Tribal Technical Assistance Program, and the Pima Association of Governments. Tribes represented at the event included: Ak-Chin Indian Community, Fort McDowell Yavapai Nation, Gila River Indian Community, Hopi Tribe, Hualapai Tribe, Navajo Nation, San Carlos Apache Tribe, Salt River Pima-Maricopa Indian Community, Yavapai-Apache Nation, and Tohono O'odham Nation, White Mountain Apache Tribe.

Tribes in Arizona were invited to conduct presentations on transportation issues or to showcase successful project activities. During the Transportation Forum the Navajo Nation and Hopi Tribe provided presentations on their transportation programs and processes; and ADOT presented information on the Building a Quality Arizona - Statewide Transportation Planning Framework project. During the Safety Summit the San Carlos Apache Tribe, Tohono O'odham Nation, Fort McDowell Yavapai Nation, White Mountain Apache Tribe and Yavapai Apache Nation provided presentations on tribal safety initiatives and programs.

#### Navajo Nation/ADOT/BIA/FHWA/Coconino County/Navajo County/Apache County Partnership

The current Navajo Nation Transportation Partnership was established in December 2004 and it continues to be an ongoing effort support by the ADOT Partnering Office. The Mission of the Partnership is: *"To develop, foster and maintain good working relationships in order to construct, operate and maintain the most reliable, economical, efficient and effective transportation system for the safety of the traveling public. We commit to promoting a sustained opportunity and investment in the partnership effort through the pursuit of mutually beneficial goals in a spirit of respect, open communication, cooperation and trust".*

At its onset the Partnership established several Task Teams for the purpose of conducting an ongoing process for addressing the priority topics of emergency response, processes, resources, right of way and training. The Task Teams meet on a regular basis and report back to the full Partnership Steering Committee on a quarterly basis as well as at the Partnership Annual Meeting.

The Navajo Nation Transportation Partnership Annual Meeting was held July 9-10, 2008 in Fort Defiance, AZ. The purpose of the meeting was to present progress of the partnership to the stakeholder leadership and to identify actions for the upcoming year. The priority actions identified included:

- Maintain roads
- Improve efficiency
- Save money
- Invite NACOG to participate
- Statewide Transportation Investment Strategy Initiative updates
- Streamline recommendations
- Research railroad issues
- Public transit
- Training task team

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- Navajo DOT to take over leadership of the partnership effort and incorporate the ongoing process in to its overall transportation program

#### Hopi Tribe/ADOT/BIA/FHWA/Coconino County/Navajo County Partnership

The Hopi Transportation Partnership was established in September 2007 and like the Navajo Nation Partnership it continues to be an ongoing effort supported by the ADOT Partnering Office. The mission of the Partnership is: *"To develop, foster and maintain good working relationships through communication, collaboration, consultation and coordination to provide a safe and efficient transportation system for the movement of people, goods and services"*. At its onset the Partnership established several Task Teams with the purpose of conducting an ongoing process for addressing the priority topics of emergency response, processes, resources, right of way, Route 66, and training. The Task Teams meet on a regular basis and report back to the full Partnership Steering Committee on a quarterly basis as well as at the Partnership Annual Summit.

The Partnership's First Annual Transportation Summit was held September 23-24, 2008 on the Hopi Reservation. The purpose of the meeting was to promote understanding, commitment, ownership and strategies to continue building the partnership process among the nine partner groups' leaders and members. The Hopi Tribe also provided an opportunity for partnership members to tour transportation areas of concern and the Hopi Village of First Mesa. The Summit outcomes included:

- Showcase Task Team successes from the past year
- Identify direction and focus for the upcoming year
- Build greater understanding amongst partners
- Evaluate the Partnership and gain continued commitment from Partnership
- Review future Partnership meetings & roles

#### Inter Tribal Council of Arizona, Inc. - Transportation Working Group

The Inter Tribal Council of Arizona, Inc. (ITCA) is a private non-profit organization that is comprised of tribal government membership representing 21 of the 22 tribes in Arizona. To support its tribal consultation and coordination efforts ADOT provides tribal coordination reports to the ITCA Transportation Working Group (TWG). Although, the Navajo Nation is not a formal member of ITCA, it is invited to participate at the TWG meetings. The ITCA-TWG provides an excellent forum for dialogue where not only do tribal representatives get to learn and inquire on what the State DOT is working on, but also for State DOT staff learn what is happening at the tribal level and on BIA Regional Office issues.

#### Arizona Commission of Indian Affairs

The Commission is a state agency that works directly with tribal leaders to improve state-tribal relationships and largely deals with legislative type issues. Coordination/consultation is conducted with the Commission as a requirement under state statute, where the ADOT Director as well as several other state executive agency directors, are designated to serve as members of the Commission by virtue of their offices. The Directors may also appoint their representatives to participate in the quarterly Commission meetings and other activities. Currently, ADOT designates its Planning Division Tribal Coordinator to fill this role and to vote at the quarterly meetings then report back on issues impacting ADOT.

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#### USDOJ Bureau of Indian Affairs - Western Region Office and Navajo Region Office

On specific project issues the ADOT District Engineers and other ADOT support staff meet and communicate as-needed with the BIA Region and Agency Office personnel. Also, ADOT - MPD coordinates and consults with the BIA Region and Agency personnel for specific planning study projects or data requests, as needed. BIA representation is requested on the Technical Advisory Committees for planning study efforts in addition to being involved in document review. There are also two forums through which ADOT interacts with the BIA Regional Offices on a regular basis; those are the ATSPT regular meetings (BIA Western Region) and the Navajo Nation/ADOT/BIA/FHWA Partnership Steering Committee (BIA Navajo Region). Both forums provide for ongoing dialogue and improved relationships between the BIA and ADOT personnel.

#### USDOT Federal Highway Administration

ADOT interacts with the FHWA Arizona Division on a regular basis through meetings and electronic communication. Also, the FHWA staff participates on a number of committees that require input from the federal level due to the expenditure of federal funds on programs and projects. In particular, this includes the priority programming process for the State 5-Year Construction Program and STIP. As with the BIA, ADOT interacts with the FHWA Division on a regular basis, at the ATSPT regular meetings and at both Navajo Nation Partnership meetings and Hopi Partnership meetings. This interaction provides for ongoing dialogue and improved relationships between the FHWA and ADOT staff regarding tribal coordination and consultation. At the national level ADOT communicates with the FHWA Native American Coordinator to relay information on ADOT's tribal coordination and consultation efforts through special meetings called for the State DOT Liaisons/Coordinators.

#### USDOT Federal Transit Administration

The ADOT transit section ensures a multi-modal approach to mobility, congestion and air quality issues throughout the State. ADOT transit staff communicates on a regular basis with the Federal Transit Administration (FTA) to administer the Section 5303 Metropolitan Planning, the Section 5310 Elderly and Persons with Disabilities Transportation Program, Section 5311 Rural Transit Program, and the Section 5313 State Planning and Research Program. These grant programs, provide technical assistance and expertise to local transit agencies and decision makers; and, coordinates and funds state transit and rail planning efforts, and sets and monitors light rail system safety standards.

Three tribal transit systems currently participate in the Section 5311 Program; they include the Hopi Tribe, Navajo Nation and Salt River Indian Community. Ten tribal service providers currently participate in the Section 5310 Program; they include the Camp Verde Yavapai- Apache, Cocopah Tribe, Fort Mojave Tribe, Gila River Indian Community, Hualapai Tribe, Navajo Nation, Pascua Yaqui Tribe, San Carlos Apache Tribe, Tohono O'odham Nation, and White Mountain Apache Tribe. ADOT transit staff consults with these tribes on a regular basis to ensure efficient operating systems and compliance with program regulations. Funding and management coordination is also conducted for the Planning Assistance for Rural Areas studies that may require a detailed transit element.

## ADOT TRIBAL CONSULTATION ACTIONS: December 2007 to November 2008

The following provides a summary of substantial tribal related consultation actions undertaken by ADOT Divisions. A number of the actions relate directly to the implementation of the ADOT tribal consultation policy priorities. Specific Tribes consulted and/or impacted are highlighted in bold italic lettering. Also mentioned are actions that are on-going forms of communication that ADOT conducts with tribal governments, tribal communities, and tribal related agencies. Additionally, although it is understood that public involvement is not considered government-to-government consultation, it is important to note that this is a method that is carried out to obtain tribal community participation in transportation planning and programming processes. Also a number of the identified activities are undertaken in cooperation between the various Divisions illustrating ADOT's internal team effort toward accomplishing successful transportation program and project implementation.

### ADOT Aeronautics Division

April 2008	<ul style="list-style-type: none"> <li>Conducted a leadership presentation at the Tuba City High School on the <b><i>Navajo Nation</i></b>.</li> </ul>
June 2008	<ul style="list-style-type: none"> <li>Participated in a groundbreaking event for improvements at the Kayenta Airport on the <b><i>Navajo Nation</i></b>.</li> </ul>
September 2008	<ul style="list-style-type: none"> <li>Participated in the <b><i>Hopi Tribe</i></b>/ADOT/BIA/FHWA/County Annual Partnership Meeting in Kykotsmovi, AZ.</li> </ul>

### ADOT Communications and Community Partnerships (CCP)

December 2007	<ul style="list-style-type: none"> <li>Participated in a <b><i>Navajo Nation</i></b>/ADOT/BIA/FHWA/County Quarterly Partnership Steering Committee Meeting.</li> <li>Participated in an Arizona Tribal Strategic Partnership Quarterly Meeting.</li> <li>Participated in a <b><i>Hopi Tribe</i></b>/ADOT/BIA/FHWA/County Partnership Quarterly Steering Committee Meeting.</li> </ul>
February 2008	<ul style="list-style-type: none"> <li>Met with the <b><i>Cocopah Tribe</i></b>, <b><i>Quechan Tribe</i></b> and the Bureau of Land Management regarding the US 95 - Cibola Lake Road Project.</li> <li>Participate in a planning meeting for the 2008 Arizona Tribal Transportation Forum.</li> </ul>
March 2008	<ul style="list-style-type: none"> <li>Participated in a <b><i>Hopi Tribe</i></b>/ADOT/BIA/FHWA/County Quarterly Partnership Steering Committee Meeting.</li> <li>Participated in a planning meeting for the 2008 Arizona Tribal Transportation Forum scheduled for May 14, 2008 in Casa Grande, AZ.</li> </ul>
April 2008	<ul style="list-style-type: none"> <li>Participated in a Tribal Safety Summit Planning Team meeting. Discussed details on finalizing the summit agenda with the Arizona Tribal Transportation Forum Planning Team which included representatives from FHWA, ADOT, Governor's Office of Highway Safety and the Colorado State University-Tribal Technical Assistance Program. The Summit is scheduled for May 15, 2008 in Casa Grande, AZ.</li> <li>Participated in a <b><i>Navajo Nation</i></b>/ADOT/BIA/FHWA/County Partnership Process Task Team Meeting.</li> </ul>
May 2008	<ul style="list-style-type: none"> <li>Facilitated a <b><i>Navajo Nation</i></b>/ADOT/BIA/FHWA/County Partnership Process Task Team Meeting to assist in creating procedures to help streamline intergovernmental processes.</li> </ul>
June 2008	<ul style="list-style-type: none"> <li>Participated in a <b><i>Hopi Tribe</i></b>/ADOT/BIA/FHWA/County Quarterly Partnership meeting to gain partnering skills and knowledge of the partnership.</li> </ul>
July 2008	<ul style="list-style-type: none"> <li>Met with representatives of the Navajo Department of Transportation to plan a campaign to</li> </ul>

	<p>address the issue of animals in the state highway right-of-ways.</p> <ul style="list-style-type: none"> <li>Facilitated the <b>Navajo Nation</b>/ADOT/BIA/FHWA/County Partnership Annual Meeting in Window Rock to build partnerships with the tribe and counties. State Senator Albert Hale, Navajo County Supervisor Percy Deal and Navajo County Supervisor attended the meeting.</li> <li>Met with Lone Butte Development Corporation on the <b>Gila River Indian Community</b> to address coordination of construction and incidents that would detour traffic from the Loop 202 and/or I-10 freeways.</li> <li>Facilitated a <b>Navajo Nation</b>/ADOT/BIA/FHWA/County Partnership Process Task Team Meeting to assist it in reaching partnership goals.</li> </ul>
August 2008	<ul style="list-style-type: none"> <li>Designed and produced a tri-fold color flier for use on the <b>Navajo Nation</b> to address the safety issue of livestock in the highway right-of-way.</li> </ul>
September 2008	<ul style="list-style-type: none"> <li>Facilitated a <b>Navajo Nation</b>/ADOT/BIA/FHWA/County Partnership Vendors in the Right-of-Way Task Team to address this transportation and safety issue.</li> <li>Participated in the <b>Hopi Tribe</b>/ADOT/BIA/FHWA/County Annual Partnership Meeting in Kykotsmovi, AZ. The meeting was highly successful and significant progress was made to collaborate and address transportation issues of mutual concern for members of the partnership.</li> <li>The Arizona Transportation Research Center (ATRC) funded a project titled the SPR 655 ADOT Customer-Focused Performance Measures Research Project Collectively with the purpose of developing performance indicators for services improvement. ATRC and CCP staff are managing a research firm for this project. The research process will include the opportunity for tribal input through contact with the tribal leaders and transportation contacts to participate in a project survey in early 2009. The tribal input obtained will be included with data gathered from other government agencies, stakeholder organizations and the general public to assess customer perspectives on ADOT performance and services.</li> </ul>
October 2008	<ul style="list-style-type: none"> <li>Facilitated a <b>Navajo Nation</b>/ADOT/BIA/FHWA/County Partnership Vendors in the Right-of-Way Task Team Meeting in Tuba City, AZ to assist in achieving the team goals.</li> <li>Participated in a <b>Navajo Nation</b>/ADOT/BIA/FHWA/County Quarterly Partnership Steering Committee Meeting.</li> </ul>

#### ADOT Intermodal Transportation Division (ITD)

December 2007	<ul style="list-style-type: none"> <li>The Secretary of the U.S. Department Transportation announced that all eight of the Scenic Byway grants submitted by Arizona through the National Scenic Byway Program have been funded for a total of \$791,136. The grants were awarded to the Red Rock All-American Road, Historic Rt. 66--Arizona--National Scenic Byway, three for Coronado Trail National Scenic Byway, and three on the <b>Navajo Nation</b> reservation, including two on Kayenta-Monument Valley Scenic Road and Dine'Tah "Among the People" Scenic Road. ADOT Transportation Enhancement/Scenic Roads Section administers these federal grants.</li> <li>The Yuma District Engineer met with the <b>Colorado River Indian Tribes</b> staff to discuss the SR 95 Spur Colorado River Bridge Project.</li> <li>The Safford District Development Engineer and Development Team met with the <b>San Carlos Apache Tribe</b> Council in Bylas to brief the members about the recommendations proposed in the US 70 Gila River Bridge Design Concept Report (DCR).</li> <li>The Safford District Development Engineer along with the US 70 Bylas Bridge DCR designer and project manager met with the <b>San Carlos Apache Tribe</b> Transportation Committee to present the preferred alignment for the new bridge.</li> </ul>
January 2008	<ul style="list-style-type: none"> <li>The <b>San Carlos Apache Tribe</b> Tribal Council unanimously approved a resolution presented by the ADOT Safford District that supports the recommended alternative location</li> </ul>

	<p>for reconstruction of the Bylas Bridge over the Gila River on US 70 near Bylas, AZ.</p> <ul style="list-style-type: none"> <li>• The Holbrook District Engineer and staff attended a <b>Navajo Nation</b> New Lands Chapter meeting to address emergency bridge repair, major interchange project and other ADOT related questions.</li> <li>• The Prescott District Engineer and the Central Yavapai Metropolitan Planning Organization administrator gave a presentation to the <b>Yavapai-Prescott Indian Tribe</b> on upcoming projects in the area.</li> </ul>
February 2008	<ul style="list-style-type: none"> <li>• The Environmental Planning Group Historic Preservation Team met with representatives of the <b>Gila River Indian Community</b> to review potential impacts to historic properties from a proposed commercial materials pit.</li> <li>• The Environmental Planning Group Historic Preservation Team met with the <b>Yavapai Prescott Indian Tribe</b> President and Cultural Research Program representatives at the site of the Granite Creek Bridges project to discuss the treatment of cultural resources found within the project limits.</li> <li>• Roadway Predesign, the Yuma District and the US 95 Improvement Project Team held <b>Cocopah Tribe</b> consultation meetings, an agency scoping meeting, and a public meeting regarding potential improvements to US 95 in Yuma. The purpose of the study is to ultimately expand US 95 to a four lane divided roadway with two lanes in each direction and provide an all-weather roadway.</li> <li>• The Holbrook District Engineer and staff attended a <b>Navajo Nation</b> Kayenta Chapter meeting to discuss the possibility of moving the current ADOT maintenance yard out of the residential area.</li> </ul>
March 2008	<ul style="list-style-type: none"> <li>• The Tucson District Engineer met with the <b>Gila River Indian Community</b> and consultants to address development on leased tribal land.</li> </ul>
April 2008	<ul style="list-style-type: none"> <li>• The Roadway Engineering Group and SR 264 Feasibility Study Project Team conducted a second agency meeting with <b>Navajo Nation</b> representatives, a second public meeting and open house with community residents. The Project Team presented a slideshow of roadway alternatives and provided discussion on the recommended alternative. Input and feedback was received from both Navajo Nation representatives and the public.</li> </ul>
May 2008	<ul style="list-style-type: none"> <li>• The Holbrook District Engineer attended a co-op meeting with representatives from Colorado, Utah, New Mexico and the <b>Navajo Nation</b>.</li> <li>• The State Safety Engineer led the <i>Arizona Strategic Highway Safety Plan</i> Roadway/Roadside Action Plan Team workshop of more than 50 participants from engineering, enforcement, education and emergency response agencies. City, county, MPO/COG, state, federal, tribal and other public and private agencies/associations were represented at the workshop. The Action Plan team will identify ways to implement the SHSP strategies and countermeasures relating to intersection and lane departure crashes.</li> </ul>
June 2008	<ul style="list-style-type: none"> <li>• The <b>Navajo Nation</b> Jeddito Chapter and the BIA have passed resolutions requesting ADOT to build a roundabout at the intersection of SR 264 and Navajo 6. This issue was also brought up at the last State Transportation Board meeting in Flagstaff. Holbrook District and Regional Traffic Engineering staff are doing a study of the traffic at the intersection and will meet with BIA and the Chapter officials to discuss the findings and options.</li> <li>• The Safford District Development Engineer and District Engineer met with <b>San Carlos Apache Tribe</b> Bylas District officials to discuss issues and opportunities along US 70.</li> </ul>
July 2008	<ul style="list-style-type: none"> <li>• The Holbrook District Engineer and Transportation Engineering Specialist met with the <b>Navajo Nation</b> regarding right of way issues at Burnside Junction.</li> </ul>
August 2008	<ul style="list-style-type: none"> <li>• The Tucson District Engineer and Transportation Enhancement Staff met with <b>Pascua Yaqui Tribe</b> Council Member Gastelum, Tribal Staff and Pima Association Manager to discuss possible funding for artwork at I-10 and Grant Road for the Pascua Yaqui Tribe's</li> </ul>

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	Pueblo located in the vicinity.
September 2008	<ul style="list-style-type: none"> <li>ITD issued an update to <i>ADOT Policy SAF 01-1 Emergency Notification and Reporting Procedures</i>. The updated policy ensures that ADOT has a process in place to report emergencies to tribal governments, local governments, and FHWA. Reference is made to compliance with the April 1994 President's Memorandum on Government-to-Government Relations with Native American Tribal Governments. The Policy also includes coordination of notification to tribal governments with the Arizona Governor's Policy Advisor on Tribal Affairs.</li> <li>Flagstaff and Kingman District staff attended the <b>Hopi Tribe</b>/ADOT/BIA/ FHWA/County Annual Partnership Meeting in Kykotsmovi, AZ.</li> </ul>
November 2008	<ul style="list-style-type: none"> <li>Holbrook District staff participated in a <b>Navajo Nation</b> Many Farms Chapter Planning Meeting in Many Farms, AZ to provide information on state route projects within the Chapter community.</li> </ul>

### ADOT Motor Vehicle Division (MVD)

December 2007	<ul style="list-style-type: none"> <li>Operations Support worked with Apache County officials on a new lease for the Chinle MVD office. County officials also worked with the <b>Navajo Nation</b> and Bureau of Indian Affairs to ensure that all interested parties are in agreement with the terms of the new lease.</li> <li>The MVD Legislative Liaison participated in the ADOT Policy and Governmental Relations Retreat. Topics of discussion included strategies for State Legislative session; federal fiscal year 2009 project priorities; Reauthorization Summit and strategies for re authorization; strategies for increasing communications with local governments; tribal transportation; border project planning process; CANAMEX corridor; lessons learned; framework studies; long term transit funding; research work; and Transportation Board.</li> </ul>
February 2008	<ul style="list-style-type: none"> <li>The Window Rock MVD Supervisor provided assistance to a new title clerk in Gallup, NM with Arizona MVD policies and procedures.</li> </ul>
March 2008	<ul style="list-style-type: none"> <li>MVD will be attending the first meeting of the Inter Tribal Council of Arizona - Tribal Safety Working Group. ITCA is looking to address Motor Vehicle Crashes occurring on Tribal lands and/or involving Tribal members.</li> <li><b>Navajo Nation</b> Property Management visited the Window Rock Office to address the issue of the Tribe's transfer of vehicles from the Fort Defiance Agency. The visit was to obtain information for a presentation to the communities in preparation for planned changes.</li> </ul>
June 2008	<ul style="list-style-type: none"> <li>MVD staff attended an Interagency Safety Stand Down meeting on the <b>Navajo Nation</b> in Ganado, AZ. Other agencies in attendance were Ganado Fire Department, DPS, ADOT Safety, Navajo Tribal Utility Authority and the Navajo Environmental Protection Agency. Each agency conducted a brief presentation, providing information to assist the agencies involved in working together more effectively to promote safety in northern Arizona.</li> </ul>
September 2008	<ul style="list-style-type: none"> <li>MVD staff met with Law Enforcement representatives from Mesa, Scottsdale, <b>Fort McDowell Yavapai Nation</b> and the Maricopa County Sheriff's. The meeting was to discuss upcoming changes to the Admin Per Se/Implied Consent Affidavit.</li> </ul>

### ADOT Multimodal Planning Division (MPD)

December 2007	<ul style="list-style-type: none"> <li>State and Regional Planning staff participated in an Arizona Tribal Strategic Partnering Team Quarterly Meeting to address the topics of the ATSPT New Member Packet; Arizona Commission of Indian Affairs Training Course - Introduction to American Indians; and Planning of the 2008 Arizona Tribal Transportation Forum.</li> <li>State and Regional Planning staff participated in a <b>Navajo Nation</b>/ADOT/BIA/</li> </ul>
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	<p>FHWA/County Quarterly Partnership Steering Committee Meeting to address the topics of IGA Issues, Team Website, Task Team Reports - Resources, Emergency Response, Training, and Processes.</p> <ul style="list-style-type: none"> <li>• State and Regional Planning staff participated in a <b>Hopi Tribe</b>/ADOT/BIA/ FHWA/County Partnership Quarterly Steering Committee Meeting to address goals and objectives for formalizing the Partnership Strategic Plan and to provide direction to the following established Task Teams: Resources, Emergency Response, Website, Processes and Route 60.</li> <li>• State and Regional Planning staff met with ADOT Executive Leaders, the Governor's Policy Advisor for Growth and Infrastructure, and the Governor's Policy Advisor on Tribal Affairs. The purpose was to address tribal involvement in statewide transportation planning as related to <i>Building a Quality Arizona - Statewide Transportation Planning Framework Study</i>.</li> <li>• State and Regional Planning staff prepared and submitted the <i>2006-2007 ADOT Tribal Consultation Annual Report</i> to Governor's Policy Advisor on Tribal Affairs. The report was to be forwarded to the State Legislature and Tribal Leaders as stipulated under Governor's Executive Order 2006-14.</li> <li>• State and Regional Planning staff attended the Governor's Tribal Leader Summit in Phoenix.</li> <li>• State and Regional Planning staff participated in a State Agency Tribal Liaison Meeting.</li> <li>• State and Regional Planning staff sent out formal correspondence on the proposed Planning Assistance for Rural Areas (PARA) Program to the Tribal Transportation Contacts and Tribal Leaders for all 22 tribal governments in Arizona. The purpose of the correspondence was to notify the tribes of the proposed changes to the Small Area Transportation Study Program and to solicit comments on the proposed PARA Program application process.</li> <li>• State and Regional Planning staff participated in a <b>San Carlos Apache Tribe</b> Transportation Committee Meeting to discuss the SATS Program and the proposed PARA application process. Both the ADOT Safford and Globe District Engineers were in attendance and are in support of a tribal study. The Committee has assigned the Tribal Planning Department to work with ADOT on getting the process underway.</li> <li>• Public Transportation staff met with <b>Navajo</b> Transit System representatives to discuss the status of their transit facility plans.</li> <li>• State and Regional Planning staff submitted a <i>Report on Tribal Transportation Issues and Needs</i> to ADOT Director Mendez and ADOT Deputy Director Travis. The report purpose is to provide preliminary information for consideration on the issue of tribal involvement in the statewide transportation planning process as related to the <i>Building a Quality Arizona - Statewide Transportation Planning Framework Study</i>.</li> <li>• State and Regional Planning staff participated in a State Agency Tribal Liaison Meeting to address tribal policy and consultation concerns. Staff provided an update on the ADOT Tribal Consultation and Partnerships. Presentations were also given by the Arizona Department of Housing and State Corrections Department.</li> <li>• State and Regional Planning staff submitted updates for the Arizona Tribal Transportation website.</li> </ul>
January 2008	<ul style="list-style-type: none"> <li>• State and Regional Planning staff participated in the Indian Nations and Tribes Legislative Day event at the State Capital by providing a presentation on ADOT Tribal Consultation and Partnerships. Twenty-eight persons attended the presentation including Tribal and agency representation from the Ak-Chin Indian Community, Cocopah Tribe, Havasupai Tribe, Hopi Tribe, Navajo Nation, Salt River Pima-Maricopa Indian Community, White Mountain Apache Tribe, Yavapai-Apache Nation, Apache County and City of Surprise.</li> <li>• State and Regional Planning staff submitted updates for the Arizona Tribal Transportation</li> </ul>



	<p>website.</p> <ul style="list-style-type: none"> <li>• Public Transportation staff met with <b>Hopi</b> Senom Transit and <b>Navajo</b> Transit System representatives to address Section 5311 Transit Program budget and spreadsheet training</li> <li>• Public Transportation staff attended a meeting with <b>Gila River Indian Community</b> regarding an I-10 Widening Project Update.</li> <li>• Public Transportation staff met with <b>Navajo</b> Transit System representatives in Window Rock to discuss a transit facility plan and view the construction site.</li> <li>• State and Regional Planning staff attended an Arizona Commission of Indian Affairs Board Meeting.</li> <li>• Public Transportation staff facilitated a conference call with the Community Transportation Association of America (CTAA) to discuss a planning grant for the <b>White Mountain Apache Tribe</b>. The White Mountain Apache Tribe subsequently submitted an application for the planning grant.</li> <li>• State and Regional Planning staff met with the <b>San Carlos Apache Tribe</b> Economic Development Department and provided an ADOT PARA Program overview of processes, timelines, and procedures.</li> <li>• Public Transportation staff convened a Tribal Transit Grant Application Workshop in Phoenix. Items addressed included: (1) Overview of the ADOT Transit Planning Process, (2) Program Requirements and Application Process for the Federal Transit Administration Section 5311, 5310, 5316, 5317 Programs, (3) Coordination of Service, and (4) Training Opportunities. Tribes represented at the Workshop included the <b>Gila River Indian Community, Hopi Tribe, Navajo Nation, Pascua Yaqui Tribe, and White Mountain Apache Tribe</b>.</li> </ul>
February 2008	<ul style="list-style-type: none"> <li>• State and Regional Planning staff participated in an ATSPT Tribal Transportation Forum Planning Subteam Meeting. The Forum is scheduled for May 15, 2008 and will incorporate a Tribal Safety Summit per request of the FHWA Office of Federal Lands Highway.</li> <li>• State and Regional Planning staff sent correspondence to the Navajo, Coconino and Apache County Board of Supervisor Chairpersons to outline equitable distribution of <b>Navajo Nation</b> SAFETEA-LU School Bus Route Funds.</li> <li>• State and Regional Planning staff met with <b>Hopi Tribe</b> transportation and human services representatives in Flagstaff regarding grant and coordination opportunities/challenges on and around the Hopi reservation.</li> <li>• State and Regional Planning staff provided a presentation on ADOT Tribal Consultation Processes at an Arizona Commission of Indian Affairs Meeting with ASU Tribal Government Studies students interested in State Government.</li> <li>• State and Regional Planning staff participated in an Inter Tribal Council of Arizona - Transportation Working Group Meeting.</li> <li>• State and Regional Planning staff participated in a <b>Pascua Yaqui Tribe</b> SATS Technical Advisory Committee Meeting and the second round Project Public Meeting.</li> <li>• State and Regional Planning staff and the Inter Tribal Council of Arizona convened an ATRC/Inter Tribal Council of Arizona SPR 592 Building Tribal Traffic Safety Capacity Project Final Technical Advisory Committee Meeting. This Project involves development of methods to assist the Gila River Indian Community, Hualapai Tribe, and Tohono O'odham Nation to build their capacity to undertake highway safety issues and improvements. The purpose of the meeting was to present the research project results and obtain approval of the finalized project report.</li> </ul>
March 2008	<ul style="list-style-type: none"> <li>• State and Regional Planning staff participated in an Arizona Tribal Strategic Partnering Team Quarterly Meeting to address the Proposed Arizona Commission of Indian Affairs - Introduction to American Indian, History, Life &amp; Culture Demonstration Training, the ATSPT New Membership Recruitment Plan, and the 2008 Arizona Tribal Transportation Forum and</li> </ul>

	<p>Safety Summit.</p> <ul style="list-style-type: none"> <li>• State and Regional Planning staff submitted ADOT Certifications of Road Maintenance to the <b>Colorado River Indian Tribes</b> and the <b>White Mountain Apache Tribe</b>. The Certification addresses the tribal requests to include state route mileage into its BIA Indian Reservation Road Program Road Inventory to meet BIA-IRR requirements for funds distribution.</li> <li>• State and Regional Planning staff participated in a <b>Hopi Tribe</b>/ADOT/BIA/FHWA/ County Partnership Quarterly Steering Committee Meeting to address Task Team Updates - Emergency Response, Resources, Processes, Training, Right of Way, and Route 60; Partnership Strategic Plan Review; and Issue Resolution.</li> <li>• State and Regional Planning staff participated in a <b>Hopi Tribe</b> Stakeholder Interview Session pertaining to the <i>Building a Quality Arizona - Transportation Planning Framework Study</i>. This meeting purpose was to obtain tribal input on regional issues for the Framework Study process.</li> <li>• State and Regional Planning staff sent out correspondence to all Arizona Tribal Leaders informing them of the upcoming Planning Assistance for Rural Areas application solicitation.</li> <li>• State and Regional Planning staff submitted to the Governor's Policy Advisor on Tribal Affairs an <i>ADOT Tribal Consultation Progress Report</i> for the March 2008 Tribal Leaders Roundtable Meeting.</li> <li>• Public Transportation staff participated in a HELP Loan Advisory Committee meeting. The Committee approved the new public transportation application which includes transit capital for rural and Tribal communities.</li> <li>• State and Regional Planning staff participated in an Inter Tribal Council of Arizona - Transportation Working Group Meeting in Phoenix to provide a <i>Building a Quality Arizona - Statewide Transportation Planning Framework Study</i> Update, ADOT PARA Program Presentation, and an ARTC SPR 592 Building Tribal Traffic Safety Capacity Project Update.</li> <li>• State and Regional Planning staff participated in the first meeting of the ITCA Tribal Safety Working Group. The primary meeting activity was to identify and document tribal issues concerning motor vehicle crashes. Specifically discussion focused on overviews of MVC impacts to tribes, ITCA safety initiatives, and various safety forums. Also roundtable discussions and presentations covered identification of tribal safety and injury prevention issues. This meeting was well attended by staff from various tribes and agencies with interest in reducing motor vehicle crashes and significant input was obtained.</li> <li>• State and Regional Planning staff submitted a response to an inquiry from the Governor's Policy Advisor on Tribal Affairs regarding the status of the <b>Colorado River Indian Tribes</b> request to include Indian Route 1 in the Building a Quality Arizona (BQAZ) Critical Needs List, development of a list of upcoming BQAZ Framework meetings, and response on comments from the <b>White Mountain Apache Tribe</b> regarding a Swift Trail Parkway Draft Corridor Management Plan.</li> <li>• Public Transportation staff participated in a discussion session titled "Tribal Transit Service, Training, and Funding Challenges" conducted by the Transportation Research Board/Transit Cooperative Research Program in Portland, OR.</li> <li>• Public Transportation staff met with the <b>Salt River</b> Transit tribal program manager to address compliance of the Section 5311 Transit Program.</li> </ul>
April 2008	<ul style="list-style-type: none"> <li>• State and Regional Planning staff participated in a <b>White Mountain Apache Tribe</b> Transportation Committee meeting. Discussion addressed tribal concerns related to the February closure of SR 273 and development of the Swift Trail Parkway Corridor Management Plan Project, updates on ADOT Globe District Projects, and the BQAZ</li> </ul>

	<p>Statewide Transportation Planning Framework project.</p> <ul style="list-style-type: none"> <li>• State and Regional Planning staff and the BQAZ Northern Region Team conducted Focus Group Meetings and a Community Workshop on the <b>Navajo Nation</b> in Window Rock, AZ. Focus Groups Meetings addressed the topics of multimodal and commercial transportation, business and development, and environmental issues. The Community Workshop purpose was to obtain local tribal community input on issues and needs pertaining to the state transportation system in Northern Arizona.</li> <li>• State and Regional Planning staff participated in a State Agency Tribal Liaison Group Meeting for the purpose of identifying discussion points and recommendations pertaining to State-Tribal consultation that may be considered at the June 2008 Governor's Tribal Leaders Roundtable Meeting, and to identify areas that the Tribal Liaison Group can further develop in order to enhance and strengthen the state agency tribal consultation policy and implementation process.</li> <li>• State and Regional Planning staff participated in an ITCA Transportation Working Group Meeting. Discussion items included Update on the <i>Building a Quality Arizona - Statewide Transportation Planning Framework Study</i>, Notification of the 2008 Arizona Tribal Transportation Forum and Safety Summit, Notification of Round 16 of the Federal Transportation Enhancement Program, and Update on the ADOT-PARA Program</li> <li>• State and Regional Planning staff participated in an ITCA Tribal Safety Working Group Meeting. Discussion items included Overviews of the Priority Issues Identified in March, New Forums, Safety Plans, 2008 Meeting Schedule, and the refinement of the Issues of Infrastructure, Emergency Response, Enforcement/Education, and Program and Data Management.</li> </ul>
May 2008	<ul style="list-style-type: none"> <li>• State and Regional Planning staff participated in the 2008 Arizona Tribal Transportation Forum and Safety Summit held in Casa Grande, AZ. ADOT, the FHWA, the Tribal Technical Assistance Program at Colorado State University, and the Arizona Tribal Strategic Partnering Team co-sponsored this annual event. Approximately 130 participants attended making it the largest and most successful statewide tribal transportation event thus far in Arizona.</li> <li>• ADOT participated in a meeting of the <b>San Carlos Apache Tribe</b> Transportation Committee to discuss management options for a SATS project to update the Tribe's Long Range Transportation Plan. The Committee had agreed to move forward with the project and assigned the Tribal Planning Department to work with the ADOT-MPD to get the process underway.</li> <li>• Public Transportation staff conducted budget negotiation meetings with the <b>Hopi</b> Senom Transit and <b>Navajo</b> Transit System.</li> </ul>
June 2008	<ul style="list-style-type: none"> <li>• State and Regional Planning staff submitted ADOT Certifications of Road Maintenance to the <b>Fort McDowell Yavapai Nation, Fort Mojave Tribe, Hopi Tribe</b> and <b>San Carlos Apache Tribe</b>. These certifications address the tribal requests to include state route mileage into their BIA Indian Reservation Road Program Road Inventories to meet BIA-IRR requirements for funds distribution.</li> <li>• State and Regional Planning staff participated in an Arizona Commission of Indian Affairs Webinar Board Meeting. Topics of discussion included resolutions of support for the Hopi Tribe, San Juan Southern Paiute Tribe, Havasupai Tribe; ACIA Board Elections; ACIA Move Update; State Budget Update; Potential Merger with Indian Health Care; Indian Town Hall Update; and ACIA Financials.</li> <li>• State and Regional Planning staff participated in an Arizona Tribal Strategic Partnering Team Quarterly Meeting. Discussion addressed a Debriefing on the 2008 Statewide Tribal Transportation Forum and Safety Summit and review of the draft final proceedings report; Updates to the Arizona Tribal Transportation Website; and Review of the ADOT</li> </ul>

	<p>Department-wide Native Nation/Tribal Government Consultation Policy.</p> <ul style="list-style-type: none"> <li>• State and Regional Planning staff participated in a <b>Hopi Tribe</b> Partnership Steering Committee Quarterly Meeting. Discussion topics addressed Task Team Reports - Emergency Response, Resources, Processes, Training, ROW Vendors, ROW Animals, Route 60, and Web Site Development; Planning for the Partnership Annual Meeting; Strategic Planning Strategies; and Review of the Partnering Evaluation Program.</li> <li>• State and Regional Planning staff participated in an ITCA Transportation Working Group Meeting. ADOT discussion items included Federal Transportation Reauthorization and Statewide Rural Transit Need Updates.</li> <li>• Public Transportation staff met with <b>Hopi</b> Senom Transit representatives to conduct budget and spreadsheet training</li> </ul>
July 2008	<ul style="list-style-type: none"> <li>• Public Transportation staff met with <b>Navajo</b> Transit System representatives to discuss expenditures in its FTA Section 5311 Program.</li> <li>• State and Regional Planning Section received applications from counties, towns, and Tribes for funding through the Planning Assistance for Rural Areas Program. A total of \$2,000,000 is available to assist jurisdictions in conducting planning studies. MPD staff will provide technical and administrative support to awarded projects.</li> <li>• State and Regional Planning staff participated in a meeting of the <b>San Carlos Apache Tribe</b> Transportation Committee. ADOT discussed the content of the Tribe's Long Range Transportation Plan Project scope of work; the financing process for the project; and selection of the consulting firm to complete the project.</li> <li>• Priority Programming Staff negotiated with the <b>Navajo Nation</b> regarding an extension of its 2004 Joint Project Agreement for the funds received under the Economic Strength Program.</li> <li>• Priority Programming, Public Transportation, and State and Regional Planning staff participated in the <b>Navajo Nation</b>/ADOT/BIA/FHWA/County Partnership Annual Meeting in Window Rock.</li> </ul>
August 2008	<ul style="list-style-type: none"> <li>• State and Regional Planning staff participated in an ITCA Transportation Working Group Meeting. ADOT discussion items included <i>Statewide Rural Transit Needs Study</i> Presentation and BQAZ Statewide Investment Strategy Update.</li> <li>• State and Regional Planning staff participated in an ITCA Tribal Safety Working Group Meeting. Discussion items included Update of the ITCA Tribal Motor Vehicle Injury Prevention Project; Overviews and Background of the Issue Collection Process and Priority Areas Process for Data, Policy, Education and Enforcement; Issue Prioritization Discussion; and Policy/Education Strategies Discussion.</li> <li>• State and Regional Planning staff submitted comments and recommendations on a Technical Memorandum for the NCHRP Project 08-65 titled "<i>A Guidebook for Successful Communication, Cooperation, and Coordination Strategies between Transportation Agencies and Tribal Communities</i>".</li> <li>• State and Regional Planning staff and Jacobs Engineering met with both the <b>Navajo</b> DOT and BIA Navajo Regional Office staff to provide an overview of an MOU on Access Management process and to review the first draft of potential MOU language as well as to obtain additional input. An additional meeting is expected to be scheduled with other Navajo tribal departments that were identified by the Navajo DOT and BIA to be consulted on the MOU.</li> <li>• Public Transportation staff met with <b>Navajo</b> Transit staff to discuss funding and timelines for Transit Facility construction.</li> </ul>
September 2008	<ul style="list-style-type: none"> <li>• Public Transportation staff met with the <b>White Mountain Apache Tribe</b> and Community Transportation Association of America to address a transit feasibility study process.</li> <li>• State and Regional Planning staff participated at a <b>Hopi Tribe</b> Transportation Task Team</li> </ul>

	<p>Meeting in Kykotsmovi, AZ. ADOT and the Hopi Tribe are initiating the process of entering into an MOU on Access Management. Jacobs Engineering is assisting ADOT with development of the MOU and presented background information to obtain input on this effort from the Task Team.</p> <ul style="list-style-type: none"> <li>• State and Regional Planning staff met with <b>Salt River Pima-Maricopa Indian Community</b> Engineering and Construction Development Services to initiate the Tribe's Planning Assistance for Rural Areas Project for update of the Tribe's Long Range Transportation Plan. Discussion focused on finalization of the project scope of work and consultant procurement process.</li> <li>• State and Regional Planning staff met with the Navajo DOT to review the status of the <b>Navajo Nation</b> Long Range Transportation Plan Update Project and finalization of the project scope of work.</li> <li>• State and Regional Planning staff met with <b>the San Carlos Apache Tribe</b> Planning Department to initiate the Tribes Long Range Transportation Plan Update Project and finalization of the project scope of work.</li> <li>• State and Regional Planning, Public Transportation staff provided presentations on state funding programs to a group of 20 <b>Navajo Nation</b> Chapters at the State Capital. This event was convened by Representative Hale for Chapter Officials to learn about state programs.</li> <li>• ADOT Director Mendez and State and Regional Planning staff participated in transportation related discussion at the Governor's Tribal Leader Roundtable Meeting. Follow-up actions by ADOT addressed the issues of the use of tribal IDs to obtain a state driver's license, elderly transportation for medical visits, status of the Indian Pines Maintenance Yard operation, and the availability of federal transit program funding to tribal communities.</li> <li>• State and Regional Planning staff participated in an Arizona Tribal Strategic Partnering Team Quarterly Meeting. Discussion focused on a proposed American Indian Pilot Training Session for ADOT personnel through the Arizona Commission of Indian Affairs training curriculum, development of the ATSPT Issue Resolution Process, potential future tribal partnerships, and future meeting technology processes.</li> <li>• State and Regional Planning staff attended the <b>Hopi Tribe/ADOT/BIA/ FHWA/ County</b> Annual Partnership Meeting in Kykotsmovi, AZ. This meeting was well attended by all partner agencies and direction was provided to the steering committee for the next year.</li> <li>• State and Regional Planning staff, HDR and BJ Communications met with the <b>San Carlos Apache Tribe</b> transportation planner to provide an update on the <i>Swift Trail Corridor Management Plan</i> Project. A major emphasis of the discussion was to address coordination for the Tribe's participation in the project process and finalization of the Plan.</li> </ul>
October 2008	<ul style="list-style-type: none"> <li>• Public Transportation staff met with <b>Hopi</b> Transit System representatives regarding its five-year planning process.</li> <li>• State and Regional Planning staff provided presentations at a <b>San Carlos Apache Tribe</b> Tribal Technical Assistance Program Training Session. The presentation focused on the ADOT Priority Programming Process, the Statewide Five-Year Transportation Facility Construction Program, and State and Federal funding programs available to tribal governments.</li> <li>• State and Regional Planning staff and the <b>San Carlos Apache Tribe</b> Planning Department convened the first Technical Advisory Committee Meeting for the Tribe's Long Range Transportation Plan Update Project. Discussion focused on the project background, study approach and work plan, and data needs.</li> <li>• State and Regional Planning staff met with <b>Salt River Pima-Maricopa Indian Community</b> Engineering and Construction Development Services to conduct follow-up on the Tribe's Planning Assistance for Rural Areas Project for update of the Tribe's Long Range</li> </ul>

	<p>Transportation Plan. Finalization of the project scope of work was addressed.</p> <ul style="list-style-type: none"> <li>• State and Regional Planning staff and the BQAZ Project Director participated in an Inter Tribal Council of Arizona – Transportation Working Group Meeting to provide a status report on the BQAZ Project and the upcoming public workshop events.</li> <li>• State and Regional Planning staff participated in a <b>Navajo Nation</b>/ADOT/BIA/FHWA/County Quarterly Partnership Quarterly Steering Committee Meeting to address updates from the Task Teams and follow-up action items.</li> </ul>
November 2008	<ul style="list-style-type: none"> <li>• State and Regional Planning staff participated in a <b>Navajo Nation</b> Many Farms Chapter Planning Meeting in Many Farms, AZ. The Chapter Officials made a request of ADOT-MPD and ADOT Government Relations to provide information on potential funding programs available to the Chapter Community to address transportation needs. ADOT-MPD will provided information on the Planning Assistance for Rural Areas (PARA) Program.</li> <li>• State and Regional Planning staff sent notice to the <b>Tonto Apache Tribe</b> of the awarded PARA Project for the Town of Payson to update its Long Range Transportation Plan. The Tribe was invited to participate on the Study Project Technical Advisory Committee to ensure that tribal transportation perspectives are included in the planning process.</li> <li>• State and Regional Planning staff and the BQAZ Northern Region Team conducted a Community Workshop on the <b>Navajo Nation</b> in Window Rock, AZ. The workshop purpose was to present the findings developed since the first series of BQAZ public meetings held in March 2008 and to obtain additional input from the local tribal community on the state transportation system in Northern Arizona.</li> <li>• ADOT-MPD initiated start-up of the <b>Navajo Nation</b> Long Range Transportation Plan Update Project. Wilson and Company was selected as the lead consulting firm with Woodson Engineering a subconsultant. The first project TAC meeting is tentatively scheduled for January 2009.</li> <li>• Public transportation staff initiated the process of conducting Section 5310 Program compliance evaluations with tribal agencies statewide that are participating in the Program.</li> </ul>

#### ADOT Policy and Governmental Affairs (PGA)

Jan - Nov 2008	<ul style="list-style-type: none"> <li>• Coordinated efforts between the <b>Navajo</b> DOT and ADOT Traffic Safety area to obtain training to perform road safety audits.</li> <li>• Assisted with getting a representative from the <b>Navajo</b> DOT on the Arizona Local Technical Advisory Program (LTAP) Advisory Board.</li> <li>• Ensured that LTAP and ADOT training information were sent to the <b>Navajo</b> DOT.</li> <li>• Worked with the <b>Navajo</b> DOT on developing a pilot proposal to share maintenance yards.</li> <li>• Finalized an MOU with the BIA Navajo Regional Office to transfer funding for the <b>Navajo Nation's</b> SAFETEA-LU High Priority Projects.</li> <li>• Updated <b>Navajo Nation</b> Partnership Charter to include the three county partners.</li> <li>• Working on functional reclassification of N60 so federal funds can be used to make improvements to this route on the <b>Hopi</b> Reservation.</li> </ul>
April 2008	<ul style="list-style-type: none"> <li>• Participated in a <b>White Mountain Apache Tribe</b> Transportation Committee Meeting to address follow-up on the Swift Trail Corridor Management Plan Project and other ADOT coordination issues.</li> </ul>
June 2008	<ul style="list-style-type: none"> <li>• Participated in an ITCA Transportation Working Group Meeting to provide a report on the Federal Transportation Reauthorization process.</li> </ul>
September 2008	<ul style="list-style-type: none"> <li>• Provided a presentation on state funding programs to a group of 20 <b>Navajo Nation</b> Chapters at the State Capital. This event was convened by Representative Hale for</li> </ul>

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	Chapter Officials to learn about state programs.
October 2008	<ul style="list-style-type: none"> <li>Participated in a meeting with the <b>White Mountain Apache Tribe</b> Transportation Coordinator to address follow-up actions regarding <i>Swift Trail Corridor Management Plan</i> Project.</li> </ul>
November 2008	<ul style="list-style-type: none"> <li>Participated in a meeting with the <b>Navajo Nation</b> Many Farms Chapter to address SAFETEA-LU High Priority Project funding issues for BIA Routes N8084 and 8086.</li> </ul>

**ADOT Transportation Services Group (TSG)**

March 2008	<ul style="list-style-type: none"> <li>Physical Plant Operations met with the <b>Yavapai-Apache Nation</b> Tribal Council and Economic Development Director to address a proposed Intergovernmental Agreement for disposal of wastewater at the tribal wastewater facility.</li> </ul>
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**Attachment A**  
**Executive Order 2006-14 & ADOT MGT-16.01**



**Executive Order 2006-14**  
**Consultation and Cooperation with Arizona Tribes**

**WHEREAS**, Arizona is home to 22 federally-recognized American Indian Tribes ("Tribes") who have existed since time immemorial, long before the formation of the United States and the entry of the State of Arizona into the union; and

**WHEREAS**, the land of these 22 Tribes comprises approximately 28% of Arizona's land base; and

**WHEREAS**, these tribal members are citizens of our great State, possess all the rights and privileges afforded by Arizona to its citizens, and, along with other American Indians, comprise approximately five percent of Arizona's population; and

**WHEREAS**, the State of Arizona recognizes and supports the right of these 22 tribal governments to exercise sovereign authority, as defined by federal law, over their members and their territory; and

**WHEREAS**, it benefits the State of Arizona to partner with tribal governments on issues affecting all of Arizona as well as to ensure that state services and resources are available to all eligible state citizens residing in Arizona tribal communities to the same extent that such services are available to all other eligible state citizens; and

**WHEREAS**, a spirit of cooperation should guide the continuing government-to-government relationships between the State of Arizona and the Tribes that call Arizona home; and

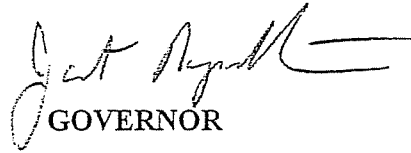
**WHEREAS**, meaningful and timely consultation with Arizona's Tribal leaders will facilitate better understanding and informed decision making.

**NOW, THEREFORE**, I, Janet Napolitano, Governor of the State of Arizona, by virtue of the authority vested in me by the Constitution and the laws of this State, hereby order and direct as follows:

1. All Executive Branch agencies shall develop and implement tribal consultation policies to guide their work and interaction with federally-recognized Tribes in Arizona. Consultation requires that to the extent practicable and permitted by law, state agencies and offices shall seek input from appropriate elected or appointed tribal officials before undertaking any action or policy that will, or is reasonably believed to, have the potential to affect a tribal community or its members. Further, state agencies and offices shall, to the fullest extent possible and to the best of their ability, integrate the input generated from tribal consultation into their decision-making processes to achieve mutually acceptable solutions.
2. All Executive Branch agencies shall designate a member of their staff to assume responsibility for the agency's implementation of the tribal consultation policy and to act as the principle point of contact for tribal issues.

3. All Executive Branch agencies shall review their tribal consultation policies each year and submit an electronic report to the Governor and the Legislature to describe all action undertaken as a result of the implementation of these policies. Electronic copies of these annual reports shall be provided to the Arizona Commission of Indian Affairs, which will make them available to Arizona's tribal leaders.

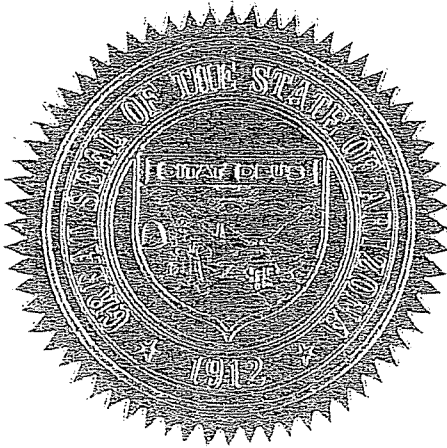
IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona.

  
GOVERNOR

DONE at the Capitol in Phoenix on this 14th day of September in the Year Two Thousand and Six and of the Independence of the United States of America the Two Hundred and Thirty-First.

ATTEST:

  
SECRETARY OF STATE





## ARIZONA DEPARTMENT OF TRANSPORTATION POLICIES AND PROCEDURES

### MGT-16.01 DEPARTMENT-WIDE NATIVE NATION/ TRIBAL GOVERNMENT CONSULTATION POLICY

**Effective: November 19, 2008**

**Supersedes: MGT-16.01 (9/1/2006)**

**Responsible Office: Director's Office (602) 712-7227**

**Review: November 19, 2010**

**Transmittal: 2008 - November**

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#### **1.01 PURPOSE**

This policy establishes the basic principles guiding the Arizona Department of Transportation (ADOT) and its relationships with Native Nation/Tribal Governments in the State of Arizona.

#### **1.02 SCOPE**

Since its inception, ADOT has continually implemented intergovernmental relations processes to carry out its responsibilities. This policy is intended to provide additional guidance to ADOT personnel when working with the Native Nations/Tribal Governments in Arizona. It is understood that consultation procedures identified by ADOT and the Nations/Tribes may already be in existence or will need to be identified through individualized agreements. Therefore, these consultation procedures will provide ADOT and the Nations/Tribes a basis for mutual understanding as appropriate agreements are carried out to address State and Tribal Transportation issues, needs and concerns.

#### **1.03 BACKGROUND**

ADOT was established in 1974 and is responsible for planning, developing, maintaining, and operating transportation facilities for the efficient movement of people and products by surface and air throughout Arizona. Within the State, multi-modal transportation systems cross numerous jurisdictional boundaries. In particular, approximately 1,350 miles of the state highway system traverse Native Nation/Tribal lands along with 20 airports maintained by the Native Nation/Tribal Governments. Additionally, there are 22 Native Nation/Tribal Governments that have jurisdiction over approximately 28% of the land base within Arizona. Thus, the State and Nations/Tribes share a mutual desire to work together for the common purpose of protecting the health, safety and welfare of the traveling public in Arizona through a continuously improving working relationship.

Furthermore, Federal legislation requires state departments of transportation to coordinate, cooperate and consult with Native Nation/Tribal Governments in statewide and metropolitan transportation planning processes. This is in addition to addressing environmental, cultural, historic, natural and human resource issues during the implementation of transportation programs and construction projects impacting Native Nation/Tribal reservations and aboriginal lands within the State boundaries. Consequently, both the State and the Native Nation/Tribal Governments share the mutual desire to coordinate the implementation of their respective multi-modal transportation mission and goals.

#### **1.04 DEFINITIONS**

IGA – Intergovernmental Agreement

An agreement between political subdivisions including cities, counties, tribes or any other governmental agency or political subdivision. Includes interagency agreements, i.e., agreements between agencies or

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	departments of the State. The distinguishing features of an IGA are that the legal officers for the state and the other government must sign it, and file it with the Office of the Secretary of State before it becomes a legal contract.
JPA – Joint Project Agreement	An agreement between parties for the joint exercise of powers to accomplish a task. A Joint Project Agreement is any intergovernmental agreement (IGA).
MOA / MOU	Memorandum of Agreement / Memorandum of Understanding.
Native Nations/Tribal Governments	The 22 Federally recognized Native Nations, Tribal Governments, and Tribal Communities that have jurisdiction over lands located within the boundaries of the State of Arizona. Also abbreviated as Nations/Tribes.
Values	For the purpose of this policy, the term “values” denotes a high degree of importance ADOT places upon a Native Nation/Tribal Government’s concerns, needs and/or willingness to build working relationships.

#### 1.05 POLICY

ADOT recognizes the sovereign status of Native Nation/Tribal Governments and their jurisdiction over lands within reservation boundaries as defined by federal law [18 U.S.C. §1151]. In recognition of Nation/Tribal sovereignty, ADOT respects the unique and continuous existence of each Nation’s/Tribe’s government, values, culture, codes, laws, and as such will work to address the following:

- A. ADOT supports the strengthening of Nation/Tribal capacity for planning, development, construction, maintenance, and operation of transportation facilities under Nation/Tribal jurisdiction. ADOT’s support to Nations/Tribes will be provided in the interest of the State and will not be used as the basis for assertion of State authority within Indian Country.
- B. ADOT is committed to developing cooperative relationships with the Nation/Tribes in Arizona, and will respect and consider their transportation concerns. ADOT values the Nation’s/Tribal Government’s respect for the transportation concerns of the State of Arizona.
- C. ADOT will not solicit and asserts no claim to Federal resources that would otherwise be provided directly to Nations/Tribes, unless an impacted Nation/Tribe gives consent.
- D. ADOT will maintain and operate State owned transportation infrastructure within Native Nation/Tribal lands in the best interest of the State while respecting Native Nation/Tribal Governments and local communities.
- E. ADOT management including the director, assistant directors, district engineers, and other designated staff will maintain the appropriate working relationships with Native Nation/Tribal Government elected officials and staff to assure the continuous operation of their respective transportation systems.

MGT-16.01 Department-Wide Native Nation/Tribal Government Consultant Policy

Effective: November 19, 2008

Transmittal: 2008-November

Supersedes: MGT-16.01 (9/1/2006)

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- F. ADOT will consult with Native Nation/Tribal Governments during the transportation planning processes and implementation of the statewide transportation improvement plan in accordance with Federal Highway Administration, Federal Transit Administration, and Federal Aviation Administration policies and this policy.
- G. ADOT will assist Native Nation/Tribal Governments to implement transportation programs by providing technical assistance, sharing data, conducting joint Native Nation/Tribal Government and State projects, and cooperatively resolving transportation issues to the extent resources allow.
- H. ADOT will enter into Intergovernmental Agreements, Joint Project Agreements, Memoranda of Agreement, or Memoranda of Understanding when considered mutually appropriate by ADOT and an interested Native Nation/Tribal Government.
- I. ADOT, while acknowledging funding and jurisdictional limitations, will coordinate with Native Nation/Tribal Governments in Arizona to identify available resources to jointly or individually fund projects to benefit the State and Native Nation/Tribal communities.
- J. ADOT will conduct training and partnering efforts, when appropriate and as resources allow, encouraging and improving State Departmental/Native Nation/Tribal Government understanding and communication. ADOT values reciprocity by Native Nations/Tribal Governments, particularly in the area of understanding Nation/Tribal cultural differences and unique business cultures.
- K. ADOT will provide early notification to Native Nations/Tribal Governments about decisions that may affect them. ADOT values reciprocity by Native Nations/Tribal Governments in early notification on matters that may affect the State.
- L. ADOT will share appropriate technical information and data with Native Nations/Tribal Governments in accordance with established ADOT policy. ADOT values reciprocity by Native Nations/Tribal Governments to share appropriate technical data as well with the State in accordance with established Native Nation/Tribal Government policy.

**1.06 RESPONSIBILITY**

In good faith, the Director of ADOT, in his/her official capacity, or through his/her designee(s), including the Aeronautics Division, the Communication and Community Partnerships Division, the Intermodal Transportation Division and its Engineering Districts, the Motor Vehicle Division, the Multimodal Planning Division, and the Transportation Services Group shall endeavor to implement the terms of this policy.

Responsibility for the enforcement of this policy lies with the Director's Office; State Engineer's Office; division directors and district engineers; and, section, group and team managers.